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**LINGUISTIC AND PRAGMATIC ANALYSIS OF THE FUNCTIONING OF
PRAGRAMATIC MARKERS IN ENGLISH AND GEORGIAN FORENSICS**

(Based on courtroom discourse)

Abstract: This article discusses the findings of a contrastive study of pragmatic markers as indicators of illocutionary force based on the compatible data from English and Georgian languages. As is known, discourse markers are commonly used in everyday communication. They are important indicators concerning the portraying a speaker's intentions and attach certain force to the utterances employed. This paper describes various uses of specific discourse markers as found in lawyers' questions during the stages of direct examination and cross-examination. It is argued that such markers are used as argumentation and confrontation strategies and maintain control of the flow of information, and mark a progression in the narration. A general classification of such markers is based on Fraser's taxonomy.

KEYWORDS: Pragmatic markers; Discourse; Commentary markers;

1. Introduction

It may be claimed that a number of issues in the courtroom are closely connected to the pragmatic aspects of discourse, namely to being able to achieve a certain illocutionary force and match the level of coerciveness during the trials. One aspect that can affect the illocutionary force of an utterance is the utilization of the particles known as discourse markers.

The research concerning pragmatic markers has been the focus of attention for the last 20-30 years. However, interest in this issue first emerged in the 1960s -1970s. Moreover, diversity is found in the approach to the methodology and terminology of pragmatic markers research.

This, in turn, is due to the complexity of the issue, namely, the diversity of functions and meaning the pragmatic markers may convey in the context. However, despite the efforts of many scholars (Fraser 1996, Hutchinson 2003, amongst others), there is still no commonly accepted classification of pragmatic markers.

This paper will present the results of a databased study concerning the utilization of discourse markers in the courtroom. Specifically, it addresses two major research questions:

- 1) In what way pragmatic markers are used in the courtroom; 2) What kinds of commentary markers are actualized in the courtroom?

2. The concept of Discourse

Discourse is an important category in communicative linguistics and modern social sciences.

First of all, it should be noted that this term has a number of meanings. Specifically, it may denote a combination of phrases and a set of organized sentences which express certain communicative intentions.

The acts of discourse are considered to be an important tool for speech analysis and are classed as minimum units of speech.

Discourse can be analyzed through hierarchical and functional analysis based on the principle of interaction. There are three main levels of hierarchical analysis:

1. Speech Act: this is the smallest unit generated by the speaker;
2. Relationship: This is the smallest unit of interaction. It contains at least two acts of speech from different speakers;
3. Intervention - Each component of the relationship is referred to as an intervention, it can be simple, consisting of one act of speech or one speaker may use a few speech acts and on the other hand, complex intervention that brings in a different speaker with several acts of speech. (Östman 1981).

As for functional analysis, a distinction is made between the elements of the relationship: those with a "primary illocution function" (Brinton 1996) and those that express a "reactive

illocution function." The former presents the statements of the interlocutors while the latter is either positive or negative, depending on whether the application of anterior illocution function. Interactive functions allow us to clearly explain the argumentative role of the subordinate component in the main act (justification, comment, explanation, concession). Markers are of great importance here because they indicate the more or less marked labelling of a given interactive function.

Thus, the specificity of the concept of discourse lies in its procedurality and dynamism and, most importantly, in the bond with discourse interlocutors and their sociocultural context.

3. The Typology of Pragmatic Markers

3.1. Framework of Markers

The present study was based on the classification of pragmatic markers proposed by Bruce Fraser (Fraser 1996: 167-190). This choice was conditioned by the approach of the author to the notion of pragmatic markers. In this work, the author considers discourse markers as one of the types of pragmatic markers.

This classification is based on the following concept: every sentence possesses a meaning that Fraser calls the "potential of a direct message" (ibid.:167). It derives from the meaning of the sentences and specifies the messages that can potentially be expressed in the conversation when sentences are uttered. The "potential of the message" is rarely fully realized. The prosodic features (e.g., intonation) and the context of the sentence define the meaning of the sentence, with the exception of some messages that identify or express additional content. For example, the sentence "Silence, please!", "You have exhausted that subject, please move on".. has the potential to express the request in the primary sense. If the sentence is pronounced with the rising tone, it expresses a question; on the other hand, the angry loud tone may indicate the offender's annoyance. Fraser discusses the initial stage of the addressee's pragmatic

interpretation process. This is the "potential of the message", which derives from the meaning of the sentence and is expected to be perceived by the listener. The communicative content of the expression is directly related to the notion of the communicative intent, which is defined as the illocutionary force. This force can be expressed by various means including markers of syntactic sentence structure and lexical units of varying phonetic properties and complexity which in Fraser's terms are referred to as *pragmatic markers*.

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Pragmatic markers can serve as elements of various word classes if they are not part of the propositional content. As a result, the class of pragmatic markers is diverse. It includes interjections (Oh !, Uh!), routine, phatic phrases (How are you?), and many other linguistic units (Aimer et al. 2009: 289).

Fraser (1996) proposed a taxonomy of pragmatic markers that distinguishes four types of messages and, consequently four types of related pragmatic markers that differ in function:

The main pragmatic markers, in Frazer's theory, indicate the "locking power of the expression" that means complete control of the expression. These four types of pragmatic markers (Basic Markers, Commentary Markers, Parallel Markers, Discourse Markers) are further subdivided into subtypes.

According to the general framework of markers, this research makes an attempt to reveal commentary markers and subclasses that are mainly employed in Georgian and American Courts. (see Table 1).

Table 1. General framework of pragmatic markers that distinguishes four types of messages and, consequently, four types of pragmatic markers associated with them differ in function:

| | | |
|--------------------------------|--|--|
| Basic Pragmatic markers | Structural | Declarative Interrogative Imperative |
| | Lexical | Legal Expressions |
| | Mixed Markers | Declarative Based Interrogative Based Imperative Based |
| Commentary Markers | Evidential Markers Manner-of-speaking Markers | |
| Discourse Markers | Elaborative Markers Inferential Markers | |

basic markers of the private power, marker-comment - notification, which is the main message of the comment, the discourse marker expresses relationship between the main messages and the current discourse.

Basic markers, which signal, more or less specifically, the force include sentence mood and lexical expressions. These markers are illustrated by the examples in (1).

(1) a) *I **regret** that MR. Chase was still there.*

b) ***Admittedly**, I was involved in that commitment.*

Sentence (1a) is an expression of regret, and sentence (1b) an admission. Both involve lexical basic markers.

The most common of the basic pragmatic markers is the structural marker which includes Declarative, Interrogative, Imperative sentences which can also be referred to as narrative, question, [u1] and command. These markers appear as parts of the utterances;

2. *Do you think your decision was justified?*

Pragmatic markers are not part of the content of the proposition. For the lexical items (eg. truthfully, amazingly, obviously) there are no overlapping functions in a particular sentence. When the unit functions as one type of a pragmatic marker, it will not be considered as part of the propositional content and vice versa. In addition, when an entity functions as one type of the pragmatic marker, it cannot simultaneously act as another type of the marker. In the following example,

- *Obviously, a plea bargain will be the most reasonable decision in the current situation! Think about it!*

The propositional content of the expression is the fact that the plea bargain is the solution, while the pragmatic marker (obviously) emphasises the comment of the speaker that the fact is clear and obvious.

Given this characterization of DMs, many segment-initial expressions are excluded. For example, consider sequences like (3):

(3) a. *A: He was not quite strong to do it.*

B: Frankly, I don't think he could have done that.

b. *Two victims, Canty and Cabey, file civil suits against Goetz seeking \$50 million in damages. Obviously, We know the truth.*

c. *A: We should leave have left fairly soon..*

B: Stupidly, I have lost the way so we could not..

In (3a-c), *frankly, obviously, and stupidly* signal a comment, a separate message, that relates to the segment following it. These are commentary pragmatic markers (cf. Fraser, 1996b).

According to the generally accepted classification, commentary markers express a representational meaning through which they refer to the concepts; besides, the markers of discourse have a procedural meaning and specify how the suggestions in the discourse are related.

The most common feature of pragmatic markers is that almost all of them can be in the initial position of a sentence. However, they may also occupy the middle or final positions, but the markers are often separated by commas or intonation, order to differentiate them from the homophonic form that can be used as part of a sentence. For example:

4) *Frankly, I told him frankly, what I saw!*

5) *ნამდვილად, უკანონო ქმედება უფროსმა სრულად აღკვეთა და დაადასტურა, რომ იდეით მხოლოდ პროვოცირებდა.*

In this sentence, using the pragmatic marker „frankly“, the subject expresses the manner of the conversation that he speaks to the addressee honestly whereas the other „frankly“ is a part of the proposition. The same role is played by the Georgian marker which serves to strengthen the content of the proposal.

Consequently, in order to explore distinctive features of the function of pragmatic markers and the frequency of their use in two languages (English and Georgian), I used the above-mentioned classification and explored the most commonly used markers during the trials.

4. METHODOLOGY

4.1. Research data and analysis

Pragmatics requires a complex interdisciplinary approach, and research has relied on anthropocentric-communicative approaches that facilitate effective qualitative research and result in defining the features of pragmatic markers in forensic linguistics in two languages- English and Georgian. The paper uses the method of comparative analysis to solve the set tasks.

Research is based on the spoken discourse that is "the flow of words in the prosodic aspect" (Zunkova,1989). Great importance is attached to the agreement of the words. It also allows us to consider the functions of phrases in relation to discourse.

This paper is qualitative in nature and employs the data, including four cases from one of the Georgian prosecutors' office. (2 from Civil and 2 from the Criminal law cases). The compatible data taken from the transcripts¹ of the USA courts sessions are also used . They

involved the discourses from the courtroom hearings. These were selected based on the availability from the archive. I worked together with the above-mentioned office to interpret the results of the cases from the courts. Firstly, I observed court proceedings in the hearings of Georgian civil and criminal cases. Secondly, civil and criminal cases were chosen from Georgian trials and I extracted the important data from the cases of American trials relative to criminal and civil law. Totally, the analyzed corpus consists of about 50,000 words. This was followed by the identification of the most frequently employed pragmatic markers in the sentences and comparison of them between Georgia and English languages during the courtroom questioning and proceeding. At the last stage of the research, based on the analytical examples, we were able to determine the percentage of markers.

5. Findings

5.1. The most frequently employed pragmatic markers in English and Georgian Courts

Pragmatic markers possess a representational meaning that means that they convey conceptual information in addition to the propositional content. More specifically, they convey information that expresses the direct key message of the proposal. This discrepancy in meaning between the propositional content and the main pragmatic markers was first noticed by Searle (Searle 1969: 30). In his view, the syntactic structure of a sentence can be separated into two elements - the proposition and the illocutionary force indicator. The latter shows how the

¹ O.J. Simpson--the Bronco Call; Sandy Hook School--Newtown Police; BART Police Transcripts---Oscar Grant Shooting (2010);

addressee received the proposal and whether or not they were able to decode the information accurately.

In the following section, I will consider the following basic markers and commentary markers where, following Frazer (1988), the following subclasses can be distinguished:

Assessment markers

Manner-of-speaking markers

Evidential markers

Focusing markers

Specifically, the following commentary pragmatic markers will be examined:

A. Assessment Markers

Assessment markers signal the speaker's evaluation of the state of the world represented in the proposition. In (5a), for example,

(5) a) *Amazingly*, U.S. Attorney Rudolph Giuliani decides not to proceed with a federal civil rights prosecution after finding insufficient evidence that race was a motive in the shooting. b) *Fortunately*, Based on new evidence regarding the fifth shot that paralyzed Cabey, District Attorney Waples petitions Judge Crane to allow him to resubmit the assault and attempted murder charged to a grand jury.

c) *Sadly*, A year after his release, on December 22, 2011, Ramseur dies from a drug overdose (suicide cannot be ruled out).

In these examples, the speaker is sending two messages: the basic message that Giuliani decides not to proceed with a federal civil rights prosecution and the comment that the speaker finds it amazing. These assessment markers, primarily adverbs, include the following lexical items: ironically, (in)correctly, justifiably, justly, luckily, mercifully, naturally, oddly, predictably, prudently, refreshingly and their variations, for example, It was remarkable that... It was reasonable that..

B. Manner-of-Speaking Markers

These markers can signal a comment on how the basic message is being conveyed. In (6a), for example,

*(6a)-Because I, **briefly**, thought I picked you because your self-defence argument showed you think well on your feet.*

*(6b)-**Strictly**, You go to jail, and I'm the shoddy lawyer who put you there!*

*(6c)-**My point** is, frankly, something is going on.*

The speaker, in addition to the basic message, is informing the addressee that the message is being conveyed concisely. Similarly, in (b), in addition to the basic message, the speaker is informing the addressee that, he/she is not happy concerning the way things are unfolding. Adverbials falling into this group include the following lexical items: objectively, personally, precisely, roughly, seriously, simply, strictly, truthfully and their variations, for example, to speak candidly, roughly speaking, to be honest, and in all seriousness.

C. Evidential Markers

Another class of commentary markers includes the evidential adverbs which signal the degree of confidence, held by the speaker about the truth of the basic message. They are presented by the examples in (7).

(7a) აშკარაა, რომ მომხდარში ორივე მხარეს ჰქონდა ჩადებული ძალის დემონსტრირების საშუალება.

(7b) რასაკვირველია, იგიქრეთ, რომ ტერმინების გამოყენებით გაგზავნიდით ანგარიშს სამინისტროებში.

*(7c) **Undeniably**, I just need the supplemental arrest report on Max St. Vincent.*

Are you flipping kidding me? What? Of course, you're not. Lucinda teaches you this when you start working for her, right?

(7d) *It's like that woman looks for ways to waste the time.*

(7e) *Certainly, you don't believe that that's nonsense, isn't it?*

In these examples, together with the main point, the pragmatic markers used show how clear and convincing the key message is to the subject - (7a), (7b) (7c), and (7d) but in (7-e) another speaker does not believe the heard opinion.

It is noteworthy that some of the clarity markers in the English language, for example: certainly, indeed, undoubtedly, undeniably, no way and clearly, show a high degree of clarity, while markers such as possibly, conceivably, evidently, supposedly - low. (Table 2)

Table 2.

| Strong adverbs of Evidential markers | Markers for Assumption |
|--------------------------------------|------------------------|
| Obviously | Possibly |
| Certainly | Presumably |
| Clearly | I think |
| Surely – Sure | |
| Definitely | |
| Believe | |

Evidential markers include the following lexical items : indubitably, most/ quite/ very likely, obviously, indeed, indisputably.

The diversity found in the Georgian segment of the analytical materials allowed me to develop the following classification (Table 3).

Table 3.

| ფაქტია(ფატობრივად) | მეჭვება |
|--------------------|---------------------|
| ნამდვილად | არ ვარ დარწმუნებული |
| რასაკვირველია | სავარაუდოდ |
| ცხადია | რამდენადაც ვიცი.. |
| ნათელია | |
| მართალია | |

It is noteworthy that the Georgian segment of the analytical corps is distinguished by its diversity. Each type of pragmatic marker appears in a much more varied lexical form in the Georgian-language segment than in the parallel English-language segment. The same tendency was revealed in case of using of the word 'think'.

*- "I **think** if they live there and they just had a hard time with their key. But I did notice they used their shoulder to try to barge in and they got in.*

*- I **don't think** if they had a key or not, 'cause I couldn't see from my angle," Whalen says.*

Moreover, in Georgian courtroom, it is common that pragmatic markers signal messages that apply only to the direct basic message. They do not apply to any indirect messages which may be implicated by the direct basic message. For example, the indirect interpretation of 8 examples.

(8) a. *სამწუხაროდ, ამ ეტაპზე ვერ დგინდება უშუალოდ სხვა მონაწილე პირების დადგენა.*

b. სავარაუდოდ, ეს არის ახალი მტკიცებულებები, რაც ხელს შეუშლის პროკურატორის წარდგენილ ბრალდებებს.

c. *ეჭვი გვაქვს, ადგილზე მოხდა ყველა მტკიცებულების მოცილება, რაც საქმის გამოძიების ხელახალ გამოძიებას მოითხოვს*

as a request to find other guilty people is unaffected by the commentary marker unfortunately in (8a) Similarly, In (8b-c) where the direct message is taken to be figurative not

literal, the pragmatic markers apply to the figurative, direct interpretations, but not to any indirect interpretations.

Interestingly, during the observation the construction "I think" as a marker was found in 60 examples in the English and Georgian corpus and 17 examples from them were given with the negative connotation - "I don't think", which is the largest number of the pragmatic markers out of 250 cases under observation.

The largest indicator in two languages is different in subclasses of pragmatic markers.

Statistical analysis showed that the subclass of assessment markers in the English-language segment of the analytical corpus constituted 5.9% of the class of pragmatic markers of commentary out of 60 sentences where above-mentioned markers were revealed in concrete sentences during the trials. In the Georgian-language segment, the situation is as follows: the subclass of assessment markers is 6% of the class of pragmatic markers of comments and their lexical expressions have a representational meaning specifying an entire message.

In the English-speaking segment of the analytical corpus, the subclass of manner-of-speaking markers represents 10.1% of the class of pragmatic markers of commentary. In the Georgian-language, the situation is as follows: the subclass of the markers expressing the manner of speaking comprises 5% of the class of commentary markers. In these examples, the speaker is informing the addressee. This type of marker has been identified in large numbers because evidential markers serve other purposes, such as indicating the speaker's attitude towards or belief in the statement. Moreover, a direct evidential marker may serve to indicate that the speaker is certain about the event stated that is essential in our study.

In the case of the subclass of evidential markers in the English-language segment of the analytical corpus consists of 60.2% of the class of pragmatic markers of commentary. In the Georgian-language, the situation is as follows: the subclass of evidential markers is 50% of the class of pragmatic markers of comments.

Conclusion

It can be said that pragmatic categories related to the subject are predominant in both languages. Based on the obtained data, it can be concluded that pragmatic markers in courtroom discourse serve to convey the ideological influence of the addressee on the subjective spectrum.

In this research, most common pragmatic markers for both countries' trial system based on the sequential characterization of pragmatic markers and their functionality in English and Georgian courtrooms were identified.

The main emphasis was on commentary pragmatic markers, which signal the meaning of an entire message and provide a comment in the direct basic message. However, when they do occur, the message actualised by them is typically very general, with a single word often signalling both the message force and its content.

It turned out that evidential markers specifying the strength of commitment by the speaker towards the basic message occurred most frequently in both languages.

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