

The Mechanics of Institutional Power in the Legal Register: Integrating Speech Acts and Turn-Taking Models

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Abstract

This paper examines power and institutional control in the legal register through selected transcripts of the O.J. Simpson (1995) and Rodney King (1992) trials. It focuses on the power imbalance between lawyers and lay witnesses and the linguistic resources used to construct narratives and impose authority. Using a mixed-method approach, the study employs an Eclectic Model combining Searle's (1969) Speech Act Theory with Sacks's (1972) Turn-taking and Adjacency Pairs model. This enables an analysis of both pragmatic roles and sequential interactional structures in the courtroom.

Statistical results reveal that Directive speech acts are the primary tool for attorney control, accounting for 36.8% in the Simpson trial and 41.6% in the King trial. Furthermore, Representative acts function as "speech acts of defeating" to undermine opposing narratives, peaking at 45.6% in Simpson's defense. Turn-taking analysis confirms a pre-allocated system where lawyers monopolize the floor and dominate the first-pair parts of adjacency pairs, relegating witnesses to responsive roles. Notably, the second hypothesis was rejected, as interruptions were driven by adversarial intensity rather than the trial phase alone. The study concludes that institutional power is micro-managed through systematic linguistic activities to maintain narrative dominance.

Keywords: (conversation analysis, law, discourse, legal register, methodology).

ميكانيكيات السلطة المؤسسية في لغة القانون دمج نماذج الأفعال

الكلامية وتبادل الأدوار

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الملخص

تتناول هذه الورقة البحثية لغات القوة والسيطرة المؤسسية بوصفها جزءاً من السجل القانوني، وذلك في سياق نصوص مختارة من قضيتين جنائيتين أمريكيتين بارزتين: محاكمة أو. جي. سيمبسون (١٩٩٥) ومحاكمة رودني كينغ (١٩٩٢). تركز الدراسة على قضية تفاوت موازين القوة بين المحامين والشهود العاديين، وكيفية توظيف موارد لغوية معينة لصياغة السرديات وفرض السلطة. وباعتبارها بحثاً يتبع المنهج المختلط، تستخدم الدراسة "نموذجاً انتقائياً" يدمج بين نظرية أفعال الكلام لسيرل (١٩٦٩) ونمط تبادل الأدوار والأزواج المتجاورة لساكس (١٩٧٢).

يسمح هذا النهج متعدد الأبعاد بفحص الأدوار البراغمية للتلفظات وبنيتها التسلسلية في التفاعل داخل قاعة المحكمة. وتظهر النتائج الإحصائية والنوعية أن الأداة الأكثر شيوعاً لسيطرة المحامي هي أفعال الكلام "التوجيهية"، والتي ساهمت بنسبة ٣٦.٨% في محاكمة سيمبسون و٤١.٦% في محاكمة كينغ. علاوة على ذلك، يتم استخدام الأفعال "التقريرية" فيما يسمى بـ "أفعال كلام الإفشال" بهدف تقويض سردية الخصم، حيث وصلت ذروتها إلى ٤٥.٦% في استراتيجية دفاع سيمبسون لخلق شك معقول.

كما يعزز تحليل تبادل الأدوار نظاماً مخصصاً مسبقاً يسيطر فيه المحامون من خلال احتكار الكلام والهيمنة على الجزء الأول من الأزواج المتجاورة (طلب-استجابة)، مما يترك الشهود في وضع استجابة فقط. ومن المهم الإشارة إلى أن الدراسة رفضت الفرضية الثانية، حيث وجد أن المقاطعات لم تكن أعلى في الاستجاب

المضاد فحسب، بل كانت مدفوعة بكثافة الخصومة. وتخلص الدراسة إلى أن السلطة المؤسساتية في قاعة المحكمة تُدار بدقة من خلال هذه الممارسات اللغوية المنهجية للحفاظ على هيمنة السرديات. الكلمات المفتاحية: (تحليل المحادثة، القانون، الخطاب، السجل القانوني، المنهجية).

1.Introduction

The language theory had long been penduluming between the notions of competence, which are the internal rules of grammar, and performance, which is the practical application of language in social life. Although the earlier models concentrated on the structural correctness of the sentences, the introduction of Conversation Analysis (CA) by Harvey Sacks dramatically changed the focus on the orderliness of the interpersonal action. This paper transfers these principles to the legal register, a professional language with its own codes, authoritative frameworks, and a rigidly fixed focus to context .

A legal trial is mostly a linguistic task in which conflicting parties are using pragmatic strategies to build facts and refute opposing stories. In the American adversarial system, which has been referred to as the gladiator system, the truth is brought out in the form of linguistic dueling of both sides prosecution and defense. Nevertheless, this communication is characterized by a great power imbalance. Lawyers are highly trained in linguistics and law, so they can exercise power by using strategic resources, and lay witnesses usually have major linguistic challenges which hinder their complete participation .

The main issue of the given research is to define the mechanism by which the unequal distribution of pragmatic strategies and turn-taking mechanisms introduces an imbalance to the fairness of the courtroom. To research this, the paper examines some transcripts of two of the most notable trials in American history, the O.J. Simpson trial (1995) and the Rodney King trial (1992). These instances offer a high concentration of intricate interactional information, which shows the battle of narrative supremacy.

This study will use an Eclectic Model which incorporates the Speech Act Theory by Searle (1969) and the Turn-taking and Adjacency Pairs model of Sacks (1972). Whereas the Speech Act theory clarifies the pragmatic role and purpose of utterances as in commands applied to restrict witnesses, the Conversation Analysis is used to clarify the structural power relations and the sequential timing of utterances. The combination of these frameworks in the study will seek to show how institutional control can be micro-managed by means of certain speech acts and turn-taking interruptions to ensure the preservation of dominance in the courtroom.

2. Theoretical Framework and Methodology

The Theoretical Framework: The Eclectic Model .

To capture the complexity of courtroom interaction, this study employs an Eclectic Model that integrates two distinct but complementary linguistic frameworks: Searle's (1969) Speech Act Theory (SAT) and Sacks's (1972) Conversation Analysis (CA). While traditional linguistics often treats sentences in isolation, this integrated approach views legal discourse as a series of strategic actions performed through talk .The Pragmatic Dimension (Searle):This component focuses on the functional intent of utterances. The study categorizes legal talk into five speech acts: Representatives (asserting truths), Directives (issuing commands/questions), Commissives (committing to actions), Expressives (displaying emotions), and Declaratives (institutional changes). A specialized category, "Speech Acts of Defeating," is introduced to describe how Representatives are used to undermine opposing narratives.

Structural Dimension (Sacks): This is an aspect that examines the sequential arrangement of talk. It studies the Turn-taking processes, i.e. taking, holding and giving the floor, to determine how power is distributed. Moreover, it applies Adjacency Pairs like (Request-Response) and (Complaint-Denial) to demonstrate how lawyers occupy the speech arena and limit the involvement of witnesses.

3. Research Methodology

This research is a descriptive, mixed-methods research design, which incorporates qualitative linguistic interpretation and quantitative statistical analysis. This method makes it certain that not only is the orderliness of the legal register described by individual examples, but the frequency and percentage distributions confirm this orderliness. Data Collection and Sampling: The purposive sampling method was used to choose the high-density interactional transcripts of two historic American trials: the O. J. Simpson trial (1995) and the Rodney King trial (1992). These situations were selected due to their reflective nature of the gladiatorial aspect of the adversarial system in which a linguistic control is the most important element.

Analytical Procedures: The data were divided into trial phases (direct vs. cross-examination). Each trial was extracted to 250 units of analysis to make a balanced comparison. The units were also coded in pairs in accordance with their pragmatic (Speech Act) and structural (Turn-taking mechanism) functions to establish the correlations between the language use and the institutional power.

4. Data Analysis and Discussion

4.1 Pragmatic Realizations: Speech Acts of Control and Defeating

Statistical analysis indicates that legal interaction is not a simple request of information but an act of strategic use of functional speech acts. In both cases, the directive acts dominated the case, with 36.8 % and 41.6% in the Simpson and King cases respectively. This control highlights the official power of lawyers to limit witness testimony and control the flow of narratives.

One of the major discoveries is the importance of Representative acts which were 45.6% in the Simpson trial as opposed to 40 % in the King trial. These served as Speech Acts of Defeating in the Simpson defense approach, in which lawyers claimed other truth conditions (e.g. DNA contamination) to discredit the prosecution narrative and create reasonable doubt. The greater number of Directives in the Rodney King

case can be attributed to a more aggressive prosecuting approach in trying to prove a pattern of police misconduct by overcharging.

4.2 Structural Dynamics: Turn-Taking and Power Asymmetry

The turn-taking data proves a pre-allocated system in which power is institutionally embedded as opposed to being negotiated. Taking the floor was at high rates (Simpson: 32.4%; King: 39.6%), which emphasizes the asymmetrical right of initiating and ending sequences in which examiners are the actors, whereas witnesses are reactors. Interestingly, the second hypothesis was dismissed in the study, and the hypothesis was that the interruptions in cross-examination were more in both the trials. Rather, the statistics indicated that the Overlap/Interruption was much greater in the Simpson trial (7.2%) than in the King trial (2%). This implies that conversational disruption is motivated by both the intensity of adversarialism and the strategic function of ensuring that a witness does not develop a coherent narrative, and is not a structural characteristic of the examination stage.

4.3 Adjacency Pairs and Institutional Colonization

The analysis of Adjacency Pairs reveals the "colonization" of conversational space. Request-Response pairings dominated the interaction (Simpson: 65.2%; King: 60.6%), reinforcing the normative expectation of witness compliance. However, the Complaint-Denial sequences (Simpson: 34.8%; King: 39.6%) represented crucial moments of resistance, where witnesses attempted to challenge the presuppositions embedded in the lawyers' queries. Ultimately, institutional control is maintained by the Counsel's "ownership" of the first-pair part, which forces the witness to operate within predefined parameters.

5. Conclusion and Recommendations

5.1 Conclusion

This research has demonstrated that the legal register is not merely a collection of specialized vocabulary, but a strategically managed system of power asymmetry. By applying an Eclectic Model, the study reveals how institutional control is micro-managed through specific linguistic mechanisms. The findings lead to several significant conclusions:

Linguistic Narrative Control: The interplay between Directive speech acts (questioning) and Representative acts (defeating) serves as the primary engine for narrative dominance. Attorneys utilize directives to constrain witness testimony, while representatives are employed as "speech acts of defeating" to undermine rival theories and cultivate doubt.

Verification and Rejection of Hypotheses: The study **verified the first hypothesis, confirming that higher-power participants (attorneys and judges) utilize significantly more directive and commissive acts to maintain control. Conversely, the second hypothesis was rejected; the data showed that interruptions and overlaps are not inherently tied to the cross-examination phase but are instead driven by adversarial intensity and the strategic need to disrupt a cohesive witness story.

Structural Power: The turn-taking analysis proves that the courtroom is a "pre-allocated" system where power is ingrained in the interactional structure. Attorneys "own" the first-pair parts of adjacency pairs, forcing witnesses to operate within restrictive parameters that reinforce institutional authority.

5.2 Recommendations and Implications.

Based on the results of this study, several recommendations are proposed for the field of forensic linguistics and language education: **Mastery of CA Transcription:** Scholars and students of linguistics should prioritize the mastery of Conversation Analysis (CA)

transcription to identify micro-features (pauses, overlaps, and intonation) that often mask hidden power dynamics in legal settings. Hybrid Register Analysis: Future research should move beyond simple lexical analysis and investigate the hybrid features of courtroom discourse—where oral testimony and written legal codes intersect—to better understand how "truth" is linguistically constructed. Pedagogical Implementation: Teachers working in the English as a Foreign Language (EFL) setting ought to include real-life trial transcripts to increase the pragmatic competence of students. Learning about turn-allocation rules is as critical among learners of legal English as learning vocabulary and grammar.

5.2.1 Recommendations

Following the results of this research, it is possible to propose the following recommendations to improve the linguistic knowledge of the legal discourse and to improve the future research in this field:

1. Linguistics: Linguistics students and scholars must first master the basics of CA Transcription before analyzing courtroom data. This is crucial in detecting micro-features, including pauses, overlaps, intonation, which are important in exposing the concealed institutional constraints and power relations in legal interactions.
2. Combination of Register and Sequential Analysis: Future studies ought to go beyond a close emphasis on the lexical and grammatical aspects of the legal register. Rather, it is better to illustrate the interaction of register features with sequential arrangement, how certain legal terms have an impact on the capacity of a witness to accept or reject a lawyer proposal.
3. Building Corpus Capacity: It is desirable that the qualitative CA be combined with quantitative corpus tools by researchers. The application of corpus software in identifying register patterns to wider sets of trials will render more statistical power to micro-analyses and support arguments about the systematicity of legal language use.

4. Research on Hybrid Features: To enhance register theory, students are to research the hybridity of courtroom speech which tends to alternate between oral and literate dimensions, including reading out of a legal text or employing formulaic expressions.

5.2.2 Pedagogical Implications

The results of this research have a lot of implications on the English as a Foreign Language (EFL) pedagogy especially in pragmatic competence and discourse analysis. Through learning Conversation Analysis (CA) and turn-taking dynamics, students of all levels of proficiency, including beginner, intermediate, and advanced, can significantly improve their interactional skills. The implications mentioned to teachers and learners include the following:

1. Cultural and Contextual Awareness: EFL teachers should incorporate the study of turn-taking and conversation to reflect the cultural norms of English-speaking societies, particularly regarding the language of law and institutional authority .
2. Developing Forensic Literacy: EFL learners can utilize authentic English trial transcripts as primary material to understand the legal register and the specific contextual features that characterize institutional discourse. This helps students recognize how "stretches of words" function beyond simple sentences to form strategic interaction.
3. Enhancing Linguistic Competence: By identifying formal linguistic elements such as speech acts, and focusing on how power imbalance and dominance are manifested in the courtroom, students can improve their overall linguistic and pragmatic competence.
4. Beyond Grammar and Vocabulary: It is crucial for students to understand that "turn-allocation guidelines" are not universal but differ significantly depending on the institutional setting. Mastery of a language involves not just grammar and vocabulary, but also understanding the structural rules of interaction within specific registers.

5.3 Suggestions for Further Studies

Based on the findings of this research, several directions for future study are proposed to further explore the intersection of conversation analysis and the legal register . These projects aim to broaden the scope of forensic linguistics and enhance the pragmatic competence of language learners:

1. Contrastive Conversation Analysis: Future research should conduct a contrastive analysis of turn-taking norms in Common Law versus Civil Law courtroom discourse to identify how different legal systems structurally influence power distribution.
2. Self-Repair Competence: A microanalytic study of "Self-Repair" in legal English among L2 learners would provide valuable insights into how non-native speakers manage conversational corrections and linguistic accuracy in high-stakes legal environments.
3. Cross-Linguistic Pause Usage: Researchers are encouraged to perform a comparative conversation analysis of pause usage in English and Arabic courtroom examinations to understand how silence is linguistically managed across different legal cultures.
4. Dispreferred Response Markers: Further investigation into the pragmatics of the legal register is needed, specifically focusing on "Dispreferred Response Markers" to reveal how witnesses linguistically signal resistance or hesitation during adversarial questioning.

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