A PRAGMATIC ANALYSIS OF DECEPTIVE SPEECH ACTS IN CROSS-EXAMINATION: A FORENSIC LINGUISTIC STUDY OF PAKISTANI COURTROOM TRIALS

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Abstract

This study explores deceptive speech acts in Pakistani courtroom trials, focusing on cross-examination discourse through the lens of forensic linguistics. Using Searle's Speech Act Theory as the analytical framework, the research examines how witnesses employ linguistic strategies to manipulate, obscure, or distort truth during testimony. The data were collected from twenty criminal cases through purposive and critical case sampling from the Session Court and High Court of Pattoki and Lahore. A qualitative content analysis was conducted to identify and interpret patterns of deceptive speech acts. The findings reveal that deception in courtroom language operates at both pragmatic and socio-cultural levels, where witnesses exploit ambiguity, politeness, and emotional tone to achieve specific legal or social aims. The study contributes to forensic linguistics by emphasizing the role of pragmatics in uncovering concealed meanings within legal discourse.

Keywords: Speech acts, deception, forensic linguistics, courtroom discourse, pragmatics, cross-examination, perjury, Pakistani courts.

1. Introduction

Language serves as a fundamental tool of communication and power in the courtroom. It not only conveys information but also performs social and legal actions that may alter the course of justice. In Pakistani courtrooms, where the adversarial legal system governs the proceedings, the cross-examination phase becomes a critical stage where witnesses are linguistically challenged to reveal or conceal information.

Deceptive speech acts—linguistic behaviors aimed at misleading the listener—are an essential area of investigation in forensic linguistics. During cross-examination, witnesses may intentionally distort facts, employ hedging, or use politeness strategies to evade direct truth. These acts complicate the process of evidence evaluation and highlight the intricate relationship between language and law.

This study aims to investigate how deceptive speech acts operate pragmatically within courtroom settings in Pakistan. By analyzing speech acts through the pragmatic framework of Searle's theory, the study identifies how language functions as an instrument of deception and persuasion in judicial discourse.

2. Literature Review

The study of language in legal contexts has evolved through the interdisciplinary field of forensic linguistics. Scholars such as Gibbons (2003) and Coulthard & Johnson (2010) emphasized the crucial role of linguistic analysis in understanding how meaning is constructed and manipulated in courtroom interactions.

Searle's (1969) Speech Act Theory provides a foundation for analyzing the illocutionary force of utterances, revealing how speakers perform actions through words. In the context of courtroom discourse, speech acts can function as tools for deception or truth management. Previous studies (e.g., Shuy, 1993; Tiersma, 1999) have shown that witnesses and lawyers often use language strategically to influence juries or judges.

However, limited research has been conducted in Pakistan to explore deceptive speech acts in legal discourse. This study fills that gap by offering a pragmatic analysis of deception in cross-examinations within Pakistani courts, adding local linguistic and cultural dimensions to the global discourse on forensic linguistics.

3. Theoretical Framework

The research is grounded in the Speech Act Theory proposed by Austin (1962) and expanded by Searle (1969). The theory suggests that language performs actions through three interrelated acts:

- **Locutionary act:** The actual utterance and its literal meaning.

- **Illocutionary act:** The intended function of the utterance (e.g., asserting, denying, or promising).

- **Perlocutionary act:** The effect produced on the listener (e.g., persuasion, confusion, or doubt).

In courtroom discourse, deceptive statements often manipulate the illocutionary and perlocutionary levels. For example, when a witness says, "I think I saw him near the scene," the locution suggests uncertainty, but the illocution may serve to mislead or minimize accountability.

4. Methodology

This study employs a **qualitative research design** using **content analysis**. The data comprise twenty authentic criminal cases selected through purposive and critical case sampling from the Session and High Courts of Pattoki and Lahore. These cases include offenses such as murder, assault, robbery, and kidnapping.

The **data sources** consist of courtroom transcripts and witness statements recorded during cross-examination. The utterances were analyzed for linguistic indicators of deception, including:

- Hedging and vagueness

- Contradictions and self-repair

- Politeness and mitigation strategies

- Non-committal language and indirect answers

Each instance of speech was categorized according to Searle's classification of speech acts: **assertives, directives, commissives, expressives, and declaratives.**

5. Data Analysis and Discussion

5.1 Deceptive Assertives

Assertive speech acts were frequently used to distort facts subtly. Phrases such as "I'm sure I saw him, but it was dark" illustrate deliberate ambiguity. This linguistic uncertainty enables witnesses to maintain credibility while concealing exact truth.

5.2 Evasive Directives

Witnesses often redirected questions or provided counter-questions to deflect attention. For instance, "You should ask the officer; he knows better," functions as a directive that avoids responsibility and obstructs factual clarity.

5.3 Strategic Commissives

Witnesses frequently reinforced their statements with performative commissives such as "I swear I'm telling the truth." These expressions serve to enhance perceived honesty while masking deceptive intent. The performative quality of such utterances increases their persuasive power in legal contexts.

5.4 Expressive Contradictions and Politeness

Expressive speech acts, marked by emotion or politeness, often contained hidden contradictions. Overly polite responses or exaggerated emotional appeals, such as "With all respect, I could never lie to the court," reflect manipulation of pragmatic norms to influence judicial perception.

5.5 Cultural Dimensions of Deception

The socio-cultural fabric of Pakistan—shaped by collectivism, hierarchy, and respect for authority—affects how witnesses engage in deceptive discourse. Fear of social stigma or protection of family honor can motivate witnesses to construct linguistically deceptive statements while maintaining social acceptability.

6. Implications for Forensic Linguistics and Legal Practice

This research highlights the importance of incorporating linguistic analysis in forensic and judicial processes. Understanding the pragmatics of deception enables lawyers, judges, and investigators to identify manipulation in witness statements.

Forensic linguistics can provide expert testimony to clarify ambiguous statements and uncover hidden intentions. This interdisciplinary collaboration strengthens legal interpretation, reduces the likelihood of wrongful judgments, and enhances linguistic justice in Pakistani courts.

7. Conclusion

The pragmatic analysis reveals that deception in courtroom discourse is not accidental but strategically structured. Witnesses use specific linguistic devices—such as hedging, indirectness, and emotional modulation—to mislead or obscure facts.

Integrating forensic linguistics into Pakistan's legal system can improve the accuracy of evidence evaluation. Future research may focus on digital transcriptions, multilingual trials, and lawyer–judge interactions to further explore the relationship between deception, language, and justice.

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