

INTERACTIVE PATTERNS OF THE OPENING STATEMENT IN THE DEFAMATION CASE TRIAL OF DEPP VS HEARD 2022

Adelia Ikawati¹, Ati Sumiati²

^{1,2}English Literature, Universitas Negeri Jakarta

email: adeliaikawati10@gmail.com

Abstract

In light of the interactive aspects of a monologue speech, this study intends to examine the opening statement by the plaintiff's lawyer, Ben Chew, in the trial of the Depp versus Heard Defamation case in 2022. Utilising Searle's Illocutionary Acts and Hyland's Stance and Engagement Models which was modified by Chaemsaitong, and the qualitative descriptive method, the writer can elaborate on how the interactive patterns can be discerned through the utterances presented by the lawyer. The finding shows 68 utterances dominated by 46% representative acts and 40% commissive acts, while the least occurrences are 7% of expressive acts and 7% of directive acts. Thereafter, it is also found 91 stance markers in the form of 50% attitude markers and 13% first-person pronouns, and 54 engagement markers in the form of 26% second-person pronouns, 10% reported discourse, and 1% questions. Through those interactive devices, the lawyer negotiated his representations within the opening statement at three levels: narrative, interpersonal, and personal self. Those negotiations are operated simultaneously as interactive means for presenting his proposition and identity as a lawyer while engaging rapport with jurors. Therefore, persuading them to be on the same page with the lawyer's point of view, in which he stood on the plaintiff's side in the trial.

Keywords : Courtroom Opening Statement, Interactive Patterns of Speech, Illocutionary Acts, Stance and Engagement Model

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INTRODUCTION

One of the communications found in the courtroom setting is the opening statement. Ahlen (1995) stated that an opening statement is an opportunity to discuss evidence that will be produced and give the jury a general notion of the case's subject matters. Berman-Barret (2003) conveyed that the opening statement in a courtroom is the first chance to elaborate on the evidence arranged to be provided to the judge or jury. In addition, Chaemsaitong (2014, 2017) mentioned that, instead of just performing for them, the opening statement is a persuading monologue addressed to the silent audience due to the fact that it is the first chance for each party to make a first impression and

influence the jury's decision. Because it affords a crucial chance to give the jury a summary of the case and to clarify the anticipated evidence that will be produced in the following parts of the trial, the opening statement, while not required, is rarely omitted. Therefore, it can be argued that the speech in the opening statement contains the attitudes of lawyers when presenting the claims as well as the engagement that includes the jury as the audience of their speech, resulting in the opening statement seems, as mentioned by Chaemsaitong (2014), 'fictively dialogic'.

Bayat (2013) mentioned that, people use language to accomplish an action besides just producing an isolated series of sentences. To put

it another way, they either take action or force others to take action through the language they use. The opening statement presents the statement by the lawyer as its speaker. The statements uttered by the speaker have the 'basic and minimal units of linguistics communication' (Searle, 1994). Searle then said that when a speaker speaks a language, they produce a term called 'speech act'. Theory of speech acts is a crucial device to comprehend how speakers employ language to carry out intended acts and how listeners deduce the intended meaning from what is said (Tauchid & Rukmini, 2016, as cited in Tsoumou, 2020). According to Austin (1962), speech acts are considered as the kind of speaker's expressions based on their psychological states such as gratitude, embarrassment, regrets, etc., as well as their social interaction involvement that consists of request, order, promise, etc. Similarly, Hussain *et al.* (2020) mentioned that individuals produced speech acts through utterances that encompasses words, grammatical structure, and actions when they express themselves. In speech acts theory, there is a term called 'illocutionary acts', proposed by Austin (1962), which is the making of a request, statement, promise, offer, asking a question, issuing an order, etc. when uttering a sentence 'because of the conventional force/intention associated with it or with its explicit paraphrase'.

As stated by Altikriti (2011), in 1979, Searle developed Austin's illocutionary acts into five types, those are: 1) assertive/representative which binds the speaker to the veracity of the conveyed statement, which is linked to the value of true and false; 2) directive, which is intended to persuade the listener to take actions or towards some purposes; 3) commissive which binds the speaker to a future decision or responsibility. It declares an intention that demonstrates the speaker's commitment to action that can be performed; 4) expressive, a means for speakers to convey how they are feeling about a situation; 5) declarative, which was mentioned by Searle as "a special category of speech acts" since it demonstrates the 'correspondence between the propositional content and reality' and intended to effect a change.

Besides that, the interactive patterns of a monologue speech can be examined through some linguistic features employed by the speakers to build engagement with the audience, making them pay attention to the stance or claim of the speakers themselves. Chaemsaitong (2014) modified the theory of stance and engagement by Hyland (2005, 2008) to delve into the linguistic features that lawyers can employ to interact through their opening statements in a trial with the context of historical discourse. Stance and engagement theory was originally proposed to scrutinise the voice of an author of academic writings. Stance is an element related to the ways an addresser portrays themselves and communicates their judgments, ideas, and convictions. It is the manner to impose their own authority on their ideas or withdraw and hide their participation. Otherwise, engagement is a process that addresses, acknowledges, and relates to others, recognizing their audience's presence and enticing them to follow along with their argument and pay attention.

Chaemsaitong (2014) claimed that the scholarly schemes plainly overlap because there is not total agreement on the classifications of stance and engagement expressions. In order to reflect the general norms and limits of the opening statement, he then somewhat modified Hyland's models (2005, 2008) to analyse the opening statement in a trial.

For the stance elements, Chaemsaitong (2014) involved first-person pronouns and attitude markers. First-person singular pronouns can help the lawyers appear more authoritative by highlighting prior assertions, their contributions to the debate, and their identities outside the courtroom. Other than that, there are first-person plural pronouns which can draw attention to problems like participant alignment and group membership. Meanwhile attitude markers indicate the utterance that is not neutral, and rather mediated by the lawyer, who, through various attitude markers, chooses to convey the material as truthful, false, startling, non-factual.

Aside from that, engagement elements in the opening statement encompass second person-pronouns, question, and reported

discourse. The jurors are characterised throughout the trial as experiencers and/or as the direct addressee of the communication by the use of second-person pronouns. As for questions, it is said to be the most direct method of constructing the listener or reader may be through questions (Thompson & Thetela, 1995). The use of questions comes into contact with the addressee, even in circumstances where they are not expected to respond, since it demonstrates interest in the audience, keeping the lines of communication open. Lastly, the lawyer conveyed reported speech expressed in direct and indirect discourse. It can involve the voice of characters in order to reflect the original utterance's experience and emphasises the direct involvement of the witnesses in the situations. It also can bring the voice of personal authorities which is essential to enhance the authenticity of their accounts of the crime and investigation. Besides that, the voice of impersonal authorities is also involved to support their assertions.

Taking into account the speaker's intended acts and interactive patterns embedded in utterances, the writer of this study is interested in delving into the illocutionary acts as well as the stance and engagement elements of the opening statement performed by one of the plaintiff's lawyers—Ben Chew—in the trial of Johnny Depp and Amber Heard regarding their defamation case in 2022. This study needs to be conducted because the writer can comprehend how a monologue speech can be interactive. Hence, making it persuasive for the audience.

That current trial involves two ex-spouses, Johnny Depp and Amber Heard, who was well-known as a Hollywood actor and actress. As stated in an NBC News article written by Rosenblatt (2022), In 2016, the couple divorced. They fought in court over an opinion editorial published by Heard for The Washington Post in 2018 on surviving domestic abuse. However, even though that opinion editorial did not mention the name of the abuser, the readers will easily guess that the abuser was his ex-husband, Johnny Depp. In other words, that opinion editorial defames Depp's reputation as an actor and as a man. As a result, Depp filed a lawsuit for \$50 million in damages since he considered

Heard's opinion editorial was full of false statements and Johnny Depp himself was a victim of domestic abuse. However, Heard also filed a countersuit for \$100 million, claiming that she only ever used physical force against Depp in self-defence or to protect her younger sister.

Speaking of the defamation case of Depp vs. Heard 2022, a news article from CinemaBlend written by Chichizola (2022) mentioned that Johnny Depp's lawyers gave their opening statements on behalf of the plaintiff On April 12. A jury has been deliberating on a decision after hearing testimony from several witnesses over the previous several weeks. The judgments are coming in fast; according to The New York Times, Johnny Depp has found Amber Heard guilty of slander in three instances. As a result, the jury chose to award Depp \$10 million in compensatory damages and \$5 million in punitive damages. However, they also compensated Amber Heard \$2 million in restitution. Hence, Depp will receive a total of \$15 million in compensation, and Heard will receive \$2 million. Depp was found guilty on one count, while the Amber Heard actress was found guilty on all three.

In this part, the author of this study will explain some previous studies. The first was the study by Simon & Dejica-Cartis (2015). This study identified, classified, and analysed the illocutionary acts that could be found in written advertising using the approach by Van Dijk to discursal speech acts. The findings revealed that particular micro- and macro-speech acts were preferred by advertising over others. As a result, commercials frequently use two kinds of speech acts: macro-speech acts to persuade and give information, and micro-speech acts to inform, direct, and assert the meaning conveyed in the advertisement. Meanwhile another previous study is by Chaemsaitong (2014) which dug more profoundly into the Anglo-American courts' opening statement in terms of its discursive history and interactive features. This study shows that interactive devices are a crucial component of the genre and that pronouns appear to be used the most frequently, followed by the attorneys' use of attitude markers, questions, and reported discourse.

This present study differs from the previous ones (Chaemsaithong, 2014; Sayah & Hashemi's, 2014; Simon & Dejica-Cartis, 2015) since this study chooses to analyse the opening statement in the courtroom discourse, which has still rarely been studied. Here, the author will use illocutionary acts (1979) theory by Searle to comprehend the intended act that can be examined from the speaker's utterances in building relationships with the hearers. Not only that, but this study will also delve into the stance and engagement markers in the opening statement spoken by Ben Chew—a lawyer of

METHOD

A qualitative method is an approach for looking deeper at and understanding the meaning that a group of people applies to the issue in human society (Creswell, 2018, p. 41), whereas the descriptive study aims to categorise a phenomenon as well as its characteristics (Nassaji, 2015, p. 129).

Qualitative descriptive studies on linguistics are utilised in this study to delve into the interactive patterns of a monologue, precisely an opening statement spoken by a plaintiff's lawyer—Ben Chew, in the defamation case trial of Johnny Depp and Amber Heard in 2022. To do it, this study will identify the illocutionary acts as well as stance and engagement features employed by Ben Chew in his utterances.

The data of this study is in the form of written text, which is the linguistic features, such as words, phrases, sentences, or utterances of Ben Chews when he conveyed the opening statement for defending the plaintiff that contains illocutionary acts as well as stance and engagement features. This analysis can be deemed valid. It is on account of the study that is conducted based on several steps of thorough procedures. Those analysis procedures are performed through, 1) classifying the utterances or sentences into five types of Illocutionary Acts, two types of stance elements, and three types of engagement elements; 2). Analysing every utterance or sentence to identify its type of Illocutionary Acts; 3) Analysing every Illocutionary Acts data to identify its stance and engagement elements; 4) Elaborating the

Johnny Depp in the trial, using Hyland's concept of voices that was modified by Chaemsaithong (2014). Furthermore, this study is also different from Chaemsaithong's (2014) since it will be using the current corpus of courtroom discourse as the data of the study, not a historical one.

Other than that, this research will also provide a perspective that language in a courtroom discourse can be used by the legal figures, such as lawyers, as an interactive means to persuade the jurors through the opening statement in a trial.

interactive patterns of the whole monologue based on the connection between the above findings; 5) Interpret the context that can be found in the interactive patterns; 6.) Summing up the conclusion

Source of the data is obtained from the document (.pdf) as an unofficial court transcript of week 1, day 2 (12 April 2022) of the Johnny Depp versus Amber Heard defamation trial at Fairfax County Court, Virginia, USA in 2022. This transcript was professionally transcribed by an English journalist, Nick Wallis. This source can be used as a guidance for the trial. Therefore, the writer will use the unofficial transcript for comprehending the utterance performed in the opening statement by the Lawyer. The document can be accessed through the *Reporting Depp v Heard* website on <https://reportingdeppvheard.net/>.

FINDINGS AND DISCUSSION

From the 68 data of the utterances, five types of illocutionary acts can be found. Those are representatives, commissives, expressives, and directives. This opening statement is dominated mostly 46% by representative acts and secondly 40% by commissive acts, while the least speech acts that can be found are expressive acts which equal 7%, and also directive acts which equal 7%. Representative and commissive acts are the dominant ones. It means the opening statement mostly presenting claims and arguments of the lawyer to defend the plaintiff himself while promising the audience about the upcoming evidence that would support and prove the lawyer's

arguments valid. However, there was a type of illocutionary act that cannot be found in the chosen opening statement: the declarative speech act.

From those utterances, all the types of stance and engagement elements can be found in the lawyer's utterances of the selected opening statement. The stance elements, which consist of first-person pronouns and attitude markers, dominate the corpus by 63%, while the engagement elements, consisting of second-person pronouns, questions, and reported discourse, can be found as much as 37%. The detailed analysis indicates that the use of attitude markers, which is part of the stance elements, dominates the opening statement by 50%, second-person pronouns can be found as much as 26%, the use of first-person pronouns equals 13%, reported discourse can be found 10%, and the least occurrence is questions which amount to 1% in the text. In other words, the opening statement mainly contains the attitude markers in which the lawyer inserted his evaluation, position, or response toward specific propositions he presented.

The analysis of the findings is presented below.

Illocutionary Acts

1. Representative

- a. Data: **"This is a defamation case. It's a case about how devastating words can be when they are false and uttered publicly."** (D6)

Analysis: This utterance was used by the lawyer to **'assert'** his argument about the case that would be discussed further in the trial. This assertion was supported by the label 'defamation' he stated and how he defined this case, which was about how harmful false allegation was.

- b. Data: **"Under the law, a person who makes a false statement about someone else can be held responsible for the harm that results from that falsehood."** (D7)

Analysis: The lawyer used this utterance to show his knowledge as a lawyer about the constitution and to **'state'** the fact that the responsibility of someone who has caused harm to another with falsehood is constituted by the law.

Therefore, he could tell the audience that the case was essential to be discussed in the courtroom.

- c. Data: **"And I want to repeat that because you're going to hear that throughout the case, because the timing here is critical. Two years ago, I became a public figure representing domestic abuse."** (D16)

Analysis: This representative act was used to **'remind'** the audience that the mentioned important statement in the opinion editorial would be discussed again in the trial. Therefore, the audience would always remember that the statement was influential in the case.

- d. Data: **"No one had ever, in five decades, accused Johnny Depp of being violent with a woman. No one had ever accused Mr. Depp of being violent with a woman. He had been in other long-term relationships. He had children."** (D27)

Analysis: As the representative act, the lawyer used this utterance to **'inform'** the audience about the past experiences in relationships of the plaintiff, indicating that he never ever prompted terrible things such as sexual abuse.

- e. Data: **"So you have the alleged victim and the sister laughing about a fake punch."** (D51)

Analysis: As a representative act, the speaker used this utterance to **'confirm'** that he had convincing evidence that made the audience question whether the defendant was actually being punched and being an actual victim.

- f. Data: **"Ultimately, this trial is about clearing Mr. Depp's name of a terrible and false allegation."** (D65)

Analysis: Here, the lawyer tried to **'conclude'** the opening statement he presented to defend the plaintiff and the purpose of the trial of Depp versus Heard at Fairfax County Court, Virginia, USA, in 2022.

2. Commissive

- a. Data: **"The police officers will testify that they saw no injuries on Ms. Heard. Both police officers will testify that they saw no injuries on Ms. Heard, nor did the police**

officers see any of the property damages that you will hear Ms. Heard claims existed in the apartments that evening.” (D42)

Analysis: This utterance contains the **'promising'** action, as a commissive illocutionary act, uttered by the lawyer who promised the audience another piece of evidence that would be presented in the trial from the police officers that were present at the Eastern Columbia Building (where the alleged domestic abuse took place on 21st May 2016) after the alleged incident occurred. They would explain the contradicting evidence that indicated no signs of the incident there.

3. Expressive

- a. Data: **“Good morning. My name is Ben Chew.”** (D1)

Analysis: As an expressive act, this utterance contains the action to **'greet'** the audience. By doing this, the lawyer presented hospitality when greeting the audience and introducing his name as the speaker of the opening statement that would defend the plaintiff

- b. Data: **“My colleagues and I from Brown Rudnick are truly honored to represent the plaintiff in this case, Johnny Depp.”** (D2)

Analysis: Through this utterance, the lawyer can embed an expressive act in the form of expressing **'honour'** for the chance he and the plaintiff's side could present in the trial to defend the plaintiff.

- c. Data: **“It was a jolt. It was a shocking story, splashed across front pages across the country.”** (D26)

Analysis: In this utterance, the lawyer tried to express his **'surprise'** towards the media in 2016 that portrayed the plaintiff as a domestic abuse perpetrator, which was known for not being abusive for decades, as he claimed no one had ever accused him before.

- d. Data: **“By choosing to lie about her husband for her own personal benefit, Amber Heard forever changed Mr. Depp's life and reputation...”** (D30)

Analysis: Through this expressive act, the lawyer performed this utterance to **'accuse'** the defendant based on the subject of the plaintiff's defamation suit that harmed the plaintiff's image in public and based on evidence that would be presented to defend the plaintiff throughout the trial.

- e. Data: **“Thank you all for your attention.”** (D68)

Analysis: As an expressive act, this utterance contains the act of **'thanking'** performed by the lawyer at the end of his opening statement, as an expression of **'gratitude'** to obtain a chance to present the speech and be listened to by the audience.

4. Directive

- a. Data: **“And there are three statements that we respectfully ask each of you to focus on.”** (D14)

Analysis: As a directive act, this utterance contains a **'request'** act from the lawyer, so the audience can focus on the essential materials or the plaintiffs' defamation suit that would be discussed in the trial for defending the plaintiff himself.

- b. Data: **“Let's just stop there.”** (D49)

Analysis: Here, 'let's stop' contains an act of **'command'** from the lawyer to the audience. The stop here would suggest the audience pay attention to the explanation of the surveillance video.

Stance Elements

1. First-person Pronouns

- a. Data: **“Good morning. My (D1a) name is Ben Chew. My (D2a) colleagues and I (D2b) from Brown Rudnick are truly honored to represent the plaintiff in this case, Johnny Depp.”**

Analysis: The lawyer can **'represent his authoritativeness as a lawyer who represents the plaintiff'** in this trial through first-person singular pronouns. However, with the first-person plural pronoun, he also added a possessive pronoun, such as 'my colleagues' or 'my colleague', that will emphasise that he did not stand alone in the trial as a lawyer who would present the evidence and

defend the plaintiff, but with the other lawyers as well as the other witnesses in the plaintiff's side.

- b. Data: ***“No one, as I (D28a) stated before, no one had ever, in five decades, no one had ever accused Johnny Depp of being abusive of any kind with a woman.”***

Analysis: The first-person singular pronouns contained in the above utterances were used by the lawyer when he attempted to 'repeat something and refer it to the previous arguments or claim he already presented', such as 'I want to repeat that', 'as I stated,' and 'as I said'. In other words, this device indicates that the lawyer attempted to serve an uncontested claim of him to the jurors.

- c. Data: ***“And there are three statements that we (D14a) respectfully ask each of you to focus on.”***

Analysis: As mentioned by Chaemsaithong (2014), 'we' can refer to the lawyer and other 'legal professionals as a group' as an expert in legal cases, in which they own knowledge as well as evidence associated with the case he brought up.

- d. Data: ***“That's because words matter. They paint a picture in our (D8a) mind based on what we (D8b) have experienced and what we (D8c) know or what we (D8d) think we (D8e) know.”***

Analysis: The lawyer used 'we' for sharing the 'similar common ground and mental state' with the jurors as the audience, as if they all experienced and thought the similar thing by talking about the impact of the words (its implication) from a person to other people's imagination.

2. Attitude Markers

- a. Data: ***“No one had ever, in five decades, accused Johnny Depp of being violent (D27a) with a woman. No one had ever accused Mr. Depp of being violent (D27b) with a woman.”***

Analysis: The lawyer described domestic abuse as a terrible and unacceptable action through an adjective, 'violent'.

- b. Data: ***“Today, his name is associated with a lie, a false (D5a) statement uttered by his former wife, the defendant, Amber***

Heard, that falsely (D5b) cast Mr. Depp, falsely (D5c) and unfairly characterized, cast Mr. Depp as a villain.”

Analysis: The lawyer utilised several adjectives and adverbs that evaluate the actions performed by the defendant that harmed the plaintiff's reputation, in which the lawyer claimed that the defendant accused the plaintiff of domestic abuse in 2016 and then performed another false claim about him regarding domestic abuse, again, in 2018, through an opinion editorial in *The Washington Post*.

- c. Data: ***“The evidence will show that six days after Mr. Depp requested a divorce, and he did so politely (D23a), ...”***

Analysis: He mentioned an adverb that exposed the plaintiff's action when he requested a divorce from his wife on 21st May 2016. This word contradicts the defendant's allegation that stated that there was a violence when the plaintiff requested a divorce on the alleged incident day.

- d. Data: ***“A false allegation can (D63b) devastate a career. And it can (D63c) devastate a family.”***

Analysis: The lawyer also utilised another modal auxiliary, such as 'can', to assert his proposition about the possibility of something. Mainly, it is used to present his belief that words articulated by someone matter due to its high potential for influencing other people's minds.

- e. Data: ***“Those are the crucial (D45a) days between the alleged incident and the day she walked into court with her lawyer and got an ex parte order.”***

Analysis: This adjective was used to point out some important matters in his opening statement that were worthy of the audience's consideration.

- f. Data: ***“Those are the crucial days between the alleged (D47b) incident and the day she walked into court...”***

Analysis: When presenting the narrative about the case, the lawyer used the adjectives, 'alleged' to mention something that has not been proven true yet. These adjectives were used to

evaluate the characters or events involved in the case of domestic abuse.

Engagement Elements

1. Second-person Pronouns

- a. Data: ***“Some of you (D3a) may recognize Mr. Depp from seeing him portray characters...”***

Analysis: For constructing the jurors as experiencers, the lawyer acted as if he possessed a particular knowledge representing the jurors' experience and mental state regarding the plaintiff and the case.

- b. Data: ***“We ask you (D66a), in the next several weeks, to please, please, carefully consider the evidence, assess the reliability and credibility of that evidence, and to make your (D66b) own determination about what actually happened between Mr. Depp and Ms. Heard”***

Analysis: The second purpose of the second person pronouns is to manifest a directive means. For this purpose, the lawyer embedded his own requests to the jurors through the second-person pronoun 'you'.

- c. Data: ***“..., and you (D31a) will hear him tell you (D31b) the dreadful impact that it has had on his life.”***

Analysis: The next purpose is to construct a discourse in which the jurors are the direct recipients of the opening statement by the lawyer. The lawyer promised the upcoming evidence directly to the jurors, emphasising that every piece of information he presented had to be addressed ultimately to the jurors as the Trier of Facts in the trial.

- d. Data: ***“And when, like Mr. Depp, your (D10a) career depends upon your (D10b) image and your (D10c) reputation or whether movie producers want their films associated with you (D10d), that harm can be particularly devastating.”***

Analysis: Chaemsaitong (2014) states that the generic use of second-person pronouns is utilised when 'the addressee is directly invited to imagine herself in the situation or event expressed by the

speaker and, thus, share in the worldview being presented or entertained'. Thus, the reference to it is universal as a common sense.

2. Question

- a. Data: ***“And you will have to decide for yourself, or we ask that you please decide for yourself, would anyone ever joke about that if there had been actual abuse? (D52f), much less, ask yourself, would a sister ever joke with an alleged victim about being punched by her husband? (D52h).”***

Analysis: As mentioned by White (2003, as cited in Chaemsaitong, 2014), problematic questions can carry out two dialogic functions. First, it can 'present the proposition as one of a number of possible alternatives', and 'present the proposition as self-evident or common-sense', so that it depends on the audience to provide the obvious answer. These problematic questions would suggest to the jurors to think about a proposition that would 'doubt the defendant's allegation', supported by the evidence, that the defendant's claim as a victim of domestic abuse was only a lie and the alleged incident day on 21st May 2016 never happened because of the problematic questions performed by him.

3. Reported Discourse

- a. Data: ***“She didn't have to because the evidence will show that everyone in Hollywood (D19b), where Mr. Depp and Ms. Heard both have their careers and many others outside Hollywood (D19c) knew exactly what she was talking about...”***

Analysis: The lawyer uses the voices of several witnesses to convey to the jurors that they possess their own information from several perspectives that would reveal what was truly happening in this case. Other than this, the lawyer also inserted the voice of the defendant and the plaintiff himself.

- b. Data: ***“The police officers will testify (D42a) that they saw no injuries on Ms. Heard.”***

Analysis: Using the voice of personal authorities is an important tool for conveying a statement or claim. As stated by Chaemsaithong (2014), through personal authorities' voices, the lawyer can 'amplify the credibility of their crime and investigation narratives'.

- c. Data: ***“Under the law (D7a), a person who makes a false statement about someone else can be held responsible for the harm that results from that falsehood.”***

Analysis: Aside from the voice of personal authorities, the lawyer also utilised the voice of impersonal authorities in his opening statement. Impersonal authorities include the law and other non-human authoritative sources, such as social norms (Chaemsaithong, 2014).

The Interactive Patterns

After performing above analysis, through the illocutionary acts, the writer can discern the lawyer's intended acts to the jurors when he conveyed every single utterance. It is because, based on the relevant literature, speech acts that are performed in utterance can be used to express individuals (Austin, 1962, & Hussain *et al.*, 2020). Through the stance elements, the writer can comprehend the point of view or the proposition of the lawyer himself when he presented the case to the jurors. It is supported by Through the engagement elements, the writer can see how the lawyer involved the jurors as his audience and the other voices to support his narratives. Those linguistic elements form the interactive patterns that will be discussed below. Those are supported by the studies that discussed about stance and engagement as the addressers' interactive voices that simultaneously present their opinions while acknowledging addressees existence (Hyland, 2005, 2008, & Chaemsaithong, 2014)

The findings form the pattern in which attitude markers (the highest occurrence), first-person pronouns, and second-person pronouns can be found within each type of illocutionary acts. It indicates that the lawyer mostly needed them to assert his positions, involve his identity as the speaker, and engage with the jurors in those illocutionary acts. Aside from that,

reported discourse is the tool he used in the representative acts and commissive acts to enhance the authenticity and professionalism of his speech so his promise, assertion, or information would sound reliable and worthy of consideration. Meanwhile, the questions can only be found in the directive acts as the direct contact with the jurors when the lawyer attempted to request consideration. In short, those linguistic elements were utilised by the lawyer simultaneously to construct a sort of 'interaction', when he presented his arguments and propositions in his speech that will establish rapport with the jurors to entice them to own the same perspective, which is to defend the plaintiff side in the trial.

As mentioned by Chaemsaithong (2014), On further analysis, those interactive devices assist the lawyers to “negotiate their representations of what really happened on three different levels.” of discursive roles which are carried out simultaneously. Those levels will be elaborated on below.

1. The Local Discourse Level of the Narrative

Chaemsaithong (2014) wrote that this level represents how the lawyer constructed the narrative to unfold the past events between the plaintiff and the defendant. From the opening statement, the lawyer presented some plaintiff's experience and the evidence that would defend the plaintiff in the trial through interactive markers that would induce the jurors to believe and consider his narrative. For the illocutionary acts, he used representative acts to assert or inform his narrative and expressive acts that unveiled how he mentally viewed the case.

Moreover, attitude markers, reported discourse, first-person pronouns, and second-person pronouns were also used within his utterance. The attitude markers in this level consist of adjectives, adverbs, and modal verbs that were mainly used when the lawyer attempted to position the plaintiff as innocent and the defendant as guilty. Moreover, to support his narrative to be reliable and valid, the lawyer also used direct or indirect reported discourse that encompasses the voice of several

characters involved in the case, such as the defendant, the plaintiff, and some witnesses. The lawyer also engaged himself within the narrative by utilising the first-person pronouns when repeating something and referring to the previous arguments or claims he previously presented. He also involved the jurors within his narrative by acting as if he possessed a particular knowledge representing the jurors' experience and mental state regarding the plaintiff and the case

2. The Interpersonal Level

AS stated by Chaemsaithong (2014), at this level, the lawyer attempted to establish a relationship with the jurors by positioning himself as an interlocutor. When performing this, he utilised several illocutionary acts, questions, second-person pronouns, and first-person pronouns.

For the illocutionary acts, the lawyers engaged with the jurors with mostly commissive acts, in which he involved himself and the jurors in a future action through many promising acts about the evidence that would be later shown throughout the trial. Besides that, there were also directive speech acts and expressive speech acts that were used. Directive speech acts were used to request the jurors to consider the argument and evidence he presented. While expressive speech acts at this level were interpersonally used for greeting, thanking, and expressing gratitude.

Besides speech acts, the lawyer also inserted problematic questions in his speech towards a contradicting fact that would lead the defendant's allegations. Furthermore, he performed speech acts and questions along with a number of attitude markers. For instance, when he asked, "..., *would a sister ever joke with an alleged victim about being punched by her husband?*". Through that question, the lawyer also used an attitude marker '*alleged*' to attach his attitude, which

believed that it had not proven true that the defendant was an actual victim in this case.

At this level, the lawyer also engaged with the audience by using first-person pronouns & second-person pronouns. He involved himself as the interlocutor through first-person pronouns and directly positioned the jurors to be the addressees of his speech by using second-person pronouns. Moreover, he used the first-person plural pronoun 'we' to share the same common ground with the audience, assuming himself and the jurors as a group.

3. The Level of Personal Self

Chaemsaithong (2014) deemed this level as the one that goes beyond the content of the opening statement as well as the interlocutor. It is subsequently mentioned that, through this level, the lawyer attempts to address the query "Who am I?". It is because, to reach their goals, lawyers must present their power, authority, and credibility to every side of listeners, such as the opposing party, clients, and juries (Bogoch, 1999, as cited in Chaemsaithong, 2017).

This level can be seen in how the lawyer positions himself as an important and professional figure in his own speech. Through the first-person pronouns, both singular and plural, he could assert his own and his colleagues' authoritative as legal figures that were in charge of representing the plaintiff throughout the trials. The utterances that conveyed his identity through first-person pronouns were performed within representative, commissive, and directive acts. Other than that, he also asserted some reported discourse that consisted of both personal and impersonal authoritative. How the lawyer provided those 'authoritative' reported discourses would indicate the authenticity of his speech and also his professionalism as a lawyer who would defend the plaintiff to win the trial.

CONCLUSION

Based on the analysis, the lawyer could simultaneously utilise those interactive devices in the form of illocutionary acts, stance elements and engagement elements to negotiate his representations on the narrative, interpersonal, and personal-self levels. As a result, the interactive patterns indicate that those elements in his utterance would help the lawyer communicate his propositions, serve his identity in the trial, while establishing a relationship with the jurors as his audience, persuading them to view the case as he did to defend the plaintiff. Hence, in line with the previous studies, it can be deemed that an opening statement in a trial is interpersonal and evaluative, making them 'interactive' in its sort of way.

The findings of this study are expected practically to provide an understanding of how a monologue speech can be considered as an interactive communication. Academically, it is expected to offer the knowledge for comprehending the interactive linguistic features as well as the contribution to the pragmatics studies on speech acts and stance-engagement elements found in courtroom communication.

This study has limitations on the data of this study, which is only analysing the opening statement by one of the plaintiff's lawyers, Ben Chew. Besides that, Hyland's original theory of stance and engagement (2005) is not employed in the present study since it is proposed to analyse the academic paper. As a result, this present study prefers to use its modification by Chaemsaitong (2014) to delve into the trial opening statement's interactive patterns.

Apart from that, the writer suggests a future study to explore more about the linguistic aspects that can reveal how interactive a monologue speech is, not only within an opening statement that belongs to the courtroom discourse but also within the other types of monologue speech with interactive probability.

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