

Inner Differentiation of the Prosecutorial Professional Style

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Abstract

This article is devoted to the description of inner differentiation of the Russian prosecutorial professional style that is one of professional styles presented in a legal sphere of communication. It has been ascertained that prosecutorial professional-speech activity and its varieties are presented as a hierarchically organized system of private occupations and typical communicative actions that form them and that are the basis of professional style, groups of speech genres and separate genres. Relying on this logic, the groups of speech genres have been sorted out and each group has been characterised.

In this article a stylistic-speech analysis of speech genre 'prosecutorial accusation in court' is represented. In spite of the fact that this genre functions in an oral form, it can be in full leveled as a style, because it realises the features of style: precision, imperativeness, standardisation, objectivity. The genre model of accusation is constructed by a typified sequence of speech activity series: statement of facts of case; analysis and assessment of collected and investigated in court facts of case; personal characteristic of the accused; juridical classification of crime; formulation of conclusions about the punitive measure. It has been ascertained that each speech activity included into this genre is realised by a specific system – interaction of structural and auxiliary different-level linguistic means for formulating speech activity that are able to convey meanings important for fulfilling professional duties in accordance with this genre.

Key words

stylistics, functional style, prosecutorial professional style, speech genre, genre of prosecutorial accusation in court

Any national literary language is used in different spheres of public activities, and their aims and conditions of communication are not the same. Such differences become the reason of dissimilar use of linguistic means in different spheres. For understanding regularities of language use in different spheres of communication, in linguistics there has been raised a problem of speech typology that is aimed at studying these differences. Among the Slavic studies that solve this problem functional stylistics has become the most well-known research area that differentiates macro-styles in literary speech and elaborates approaches to the description of each of them (refer to, for example, research papers (Kozhina, 1993 – in Russian stylistics, Polish stylistics guide, 2013 – in Polish one, Chehova, 2008 – in Czech one, Mistrik, 1997 – in Slovak). In this branch of science a general scientific typological method connected with ascertainment of speech types or texts in some sphere on the basis of features generality of sorted out phenomena, was used for stylistic analysis. The gist of this analysis is the description of peculiar speech manner through exposing realization of specific features for each style in them (Kozhina, 1993).

Concepts of substyle as the variety of functional style have been used for the description of inner-style differentiation in functional-stylistic science (Kozhina, 2008). Studies of official-business functional style that is specific for legal sphere have illustrated that within its scope a lot of professional styles form – prosecutor's style, lawyer's one, notary public's, investigator's and etc. In this article we suppose to identify approaches to the analysis of inner-style differentiation of professional

prosecutors' style and carry out an analysis of one of speech genres – prosecutorial accusation in court.

In linguistics the concept of professional language has been introduced for consideration of one of vocabulary classes. A professional language is considered to be the words that are typical for people of one profession. However, we consider that professional awareness while using a language in some professional sphere is reflected not only in vocabulary. Aims and objects of professional communication influence selection and combination of means of all the levels of language system and form speech systematics that is assembled for expression of professionally significant meanings. In other words, it is appropriate to speak about research of specific speech organization of texts that is subject to the aims of professional communication. We will try to outline such a research approach.

If for comprehension of style we look at the activity approach (Hausenblas 1967, Salimovskiy 2002, Duskaeva 2015) and consider it as speech realisation of some type of activity, it is rather natural to consider its ability to realise one of types of professional communication sphere as a basic reason for its extraction among other professional styles. Activity treatment of prosecutorial style allows us to consider it as speech realisation of prosecutor's supervision of, under the legislation of the country, observance of the Constitution of the Russian Federation and other laws that are in force on its territory. For achieving this aim a particular character of text-generative activity is created that is perceived as its style. A professional style is formed under the influence of the fact that in this or that communication sphere language means – words, expressions, constructions as the most appropriate and rational in this sphere and situation are distinctively sorted out, used and organized into communicatively professional speech activities.

For the description of inner differentiation of professional style it is rational to introduce a concept of speech genre (Dementiev, 2010; Gayda, 2009; Moessnar, 2001; Salimovsky, 2002; Witosh, 2005 and others). At the present time the concept 'speech genre' has widely spread in European linguistic literature and is actively used in communicative-functional linguistics, first of all, as a typological scientific tool. For the majority of researchers M.M. Bahtin's studies of speech genres (Bahtin, 2000) became a stanchion for concept comprehension. As it is known, the scientist sorted out three main characteristics of the genre: thematic, a composition structure and a style, accentuating their steadiness (Bahtin, 2000). The problem of speech genres entwines with the problematics of different research areas: theories of speech acts, with a socio-pragmatic aspect of the analysis of indirect communication. Speech genres are researched through the spectacle of cognitive science, hermeneutics, and conception of role behaviour (Dementyev, 2010).

Despite intensive development of genre studies, the issue of genre definition is open and becomes acute in case of necessity of speech typology construction in this or that sphere. Issues about correlation of primary and secondary speech genres, about key features of speech genre and approaches to their selection still remain disputable. The approaches to the quantitative definition – capacity – of a speech genre are different. Some researchers mean a speech act by the speech genre (Vezhbitska, 1997; Shmeleva, 1997 and others), others understand a more unfolded and compound speech structure that consists of some speech acts (Formanovskaya 1997). The third ones (Gayda, 2009) by the speech genre understand a whole text. The genre is interpreted as a class of texts in science of science, study of literature and theoretical journalism. In our research paper a text-centric approach to the definition of the genre has been applied that is analogous to the latter one, under which it is considered as a class of texts-utterances.

In scientific literature approaches to the selection of speech genres indicators differ. For this purpose in some research (Vezhbitska, 1997; Shmeleva, 1997 and others) the complex of sense characteristics of speech genres is explored that is essential in the pragmatic-linguistic plan for the distinction of one speech genre from another. In this case the genre turns out to be the speech projection of some communicative situation. In our article an examined concept is specified through creation of the genre-forms typology, its grounds, and the factors that determine speech genres. Such scholarly works are sequentially adjoined by functional-stylistic interpretation of scientific speech genres presented in research papers of V.A. Salimovskiy (2002) and interpretation of journalistic speech genres L.R. Duskaeva (2012). The speech genres are scrutinized in these scholarly works as models, in concordance with which socially necessary types of spiritual activity are objectified in texts. The principle of genre systematisation on the basis of types of professional activity results from such a genres interpretation, and, moreover, this systematization is constructed with the transfer from general types of socio-cultural activity that are correlative with forms of consciousness (for example, a regulatory legal functional style that is correlative with law as the form of consciousness), to more particular ones – a professional style and its strata. A genre form is described as actualization of traditional for realization of professional duties author's message by a typical system of professional-speech activities.

It is rational to make more particular differentiation of speech genres inside a professional style on the basis of differentiation of professional activity types, taking into consideration a typical set of intentions for each of them. A prosecutor's professional activity and its varieties are presented as a hierarchically organised system of private activities and typical professionally communicative activities that form them, and that lie at the root of professional style, groups of speech genres and separate genres. While constructing the typology of prosecutorial genres it is necessary to elaborate a typology of professional communicative intentions, to discover the specific character of the genre aim-setting structure in this style, for this to take into account the aims and objectives of such communication. Considering the fact that a professional prosecutor's aim is ensuring the rule of law, detecting violations of law, their elimination and prevention, in prosecutor's speech activity at least three forms of communicative activity are actualised: a binding over order, a motion (or a formal request), and a notice, that is why documents of the designated professional style can be divided into three groups – binding, requesting and notifying.

What are the specific features of each mentioned type of communicative activity?

More often a prosecutor deals with a binding over order. Many identifiers typical for law are at large inherent in a prosecutorial binding over order: a) a binding over order is an imperative, binding for execution (observance, application, enforcement) direction/demand that precisely establishes rights and obligations, conditions of their origin and enforcement, protection, other orders and regulations; б) their bindingness is ensured by measures of state influence and some other impact; в) their common nature is expressed in their non-personified character in relation to parties and they reflect (consolidate, protect and etc.) the most typical social situations, they are designed for specifically undefined quantity of life circumstances and cases; г) as a rule, each regulatory binding over order has its specific subject of legal regulation (e.g., a social and legal situation and etc.).

A prosecutorial formal request (or a prosecutorial motion, if in court) is an official request or recommendation about initiation of legal proceedings or decision making that is made to higher authorities, since a prosecutor is authorized to protect rights of both unspecified persons and a definite citizen that due to some reasons can not protect his or her rights by himself/herself.

A notice is a communicative activity that is aimed at informing colleagues about taken measures, notification, information for asked-for-aid people about made-by-prosecutor arrangements (Prosecutor's supervision..., 2005).

Considering all the primary functions of speech genres used by a prosecutor in his or her professional activity, they can be aggregated into a uniform system (refer to the table that also reflects the speech forms (writing and oral) in which prosecutorial genres function).

Table1: Speech genres of the prosecutorial professional style

substyle	speech forms	prosecutor's powers		
		binding over order	a motion (in court) / a formal request	a notice
Jurisdictional	Writing	Prosecutor General's orders, prosecutor's objections, requests to change normative legal documents, decrees	cassational submissions, offers, legal statements, motions about the recommitment of a case for further investigation, or motions to dismiss	letters with responses to applications or complaints; responses to complaints to public authorities, prosecutor's memoranda, information about the results of application consideration, minutes
	Oral	Operative directives and instructions that are not ixed in documents	accusations at the trial	talks and consultations at reception of citizens, meetings, reports and etc.

The types of prosecutorial speech genres pointed out in this table reflect and fix a professional speech activity of prosecutors of the Russian Federation¹.

¹ While translating legal terms, first of all, the names of prosecutorial speech genres, we have faced some difficulties that are caused by 1) different prosecutorial systems of the Russian Federation and the United Kingdom of Great Britain (in Russia the main prosecutor's function is supervisory and it touches not only criminal sphere, but also administrative), whereas in Great Britain a prosecutor acts only in the frames of criminal procedure); 2) the absence of a unified terminological system in legal translation dictionaries (Russian-English and English-Russian) that could reflect a prosecutorial occupational sphere. It has been ascertained that legal translation lexicographical resources usually give five – ten variants of translation of legal terms that name the types of prosecutorial documents, but indeed only one of them can reflect what is exactly understood under this or that legal term of the prosecutorial

To sum it up, the binding-over-order activity in a law-enforcement sphere is conducted more specifically. By being addressed to definite persons or competent authorities, a binding over order is a demand of enforcement of dictated-by-law activities by some officer, establishing the procedure and way of their carrying out, discharge of someone's prior adjudication, an objection to someone's decisions and actions. However, a binding over order in this sphere is put into effect in accordance with the letter of the law (*Dure lex sed lex*), that is why it is categorical.

In a formal request or in a motion (in court) an expression of will is softened to a considerable degree both by means of less categoricity, and by means of a more personal statement and it is presented specifically by instructions, recommendations, offers, warnings, approval, admonition, censure, wishes, clarifications, invitations, offers about changes of existing case state.

A notice is presented as information about requested data, consulting an incompetent or not enough competent person.

For achieving a genre aim while drawing up documents an author carries out a number of speech activities – sets forth, informs, states, notifies, inquires, narrates, assesses, reasons, explains, orders, directs, recommends, asks, assigns and etc. Documents contents and speech activities sequence of many documents are determined by regulatory acts: the Criminal procedure Code of the Russian Federation, the Civil procedure Code of the Russian Federation, arbitration procedure codes and other laws of the Russian Federation, or by the State Standard, or Branch Standard and etc. Therefore, genres have a stable compositional-stylistic form of which a draftsman is aware.

To demonstrate the peculiarities of language means use for achieving a genre intention by the prosecutor, we will turn to the description of one of important genres in a prosecutor's occupation – the genre of accusation in court. This genre is realised in an oral speech. Some researchers dispute rating oral business speech as an official business style. In particular, M.V. Koltunova considers that in oral speech it is impossible to follow the requirement of accuracy because of its spontaneity, and thus, the most important style feature that characterises the legal sphere of communication, - accuracy that does not allow alternative interpretation, – is an unachievable ideal for oral business communication. Hence, a conclusion can be made that oral and written business speech types are systemic different varieties of the Russian literary language (Koltunova, 2000). However, we consider that the style features of the official-business style are also characteristic of oral business communication, although in this case they are realized by other devices and means (Kozhina, 2007: 334). We will present one of speech genres of oral prosecutorial speech – accusation in court that is outlined in modern court proceedings.

We will show that this speech genre is a form of representation of the professional style.

sphere. And we have managed to ascertain it only with the help of the English definitions of those terms in the legal English-English dictionaries, or in legislative documents that give English verbalized names of the actual concepts of the prosecutorial occupation, taking into consideration the comparative angle of the research (translator's note).

Prosecutor's speech is a genre of professional oral speech of the requesting type that is intended to purposefully influence the court, stipulate persuasion of a judge, jury and citizens present in the courtroom. Three interrelated goals – to find out, prove, persuade – determine the stylistics of the prosecutor's accusatory speech.

This genre is formed in a legal sphere of communication where a speaker is limited in themes by the frames of the tried case. Standard and emotional means of expression are combined in them, but the first component predominates. Accuracy of expression that is achieved by means of standard formulas, terms, nomenclatural names, and also actuality of statement stipulates the truth establishment and its proof. Expressive means of influence impart power of conviction to prosecutor's speech, intensify emotionality, visualization, consistency and statement precision. Expression is created by phatic, emphasizing, and also figurative-expressive language means and devices. Let us consider how commonality and expression are manifested in different professionally-communicative activities of prosecutor's speech.

As a rule, these genres compose the following speech activities: a statement of the facts of the case; an analysis and assessment of the actual data collected and investigated in court with regard to the case; a testimonial of the defendant's identity; the theory of the case; conclusion formulation about the sentence.

The statement of the facts of the case. In this part of speech speakers depict the sequence of events with specification of where, when and how they happened, who initiated that, with which goal. The detailed accuracy is created by the use of terms, numerals, nomenclatural names, language means with space and time semantics. Visualization is introduced into a strictly-agreed-with-facts statement, for example:

*About 8 o'clock in the morning militia officers **rang** the doorbell of the flat where Kichatov lived. **Having introduced** himself, Nesterov **showed** his certificate of employment and **asked** to open the door. **Having nodded** his agreement, Kichatov **went away** to his flat and **closed** the metal door.*

*Then the militia officers **rang** the doorbell of the next-door flat, **having introduced** themselves, they **showed** their militia certificates and **asked** a went-out woman Yushkova to open the door into a recreation room. Yushkova **let** the officers **in**, they **knocked** at the door of the Kichatov's flat, but nobody **opened**. Then they decided to break the metal door down. And by a hammer taken from Yuskova, Aksenov **was hammering** the lock until the door **opened**...*

As we can see, a chain of syntactic two-part patterns, the predicates of which transfer the sequence of already committed acts, designs a speech activity of narration. Their course is made more precise by pointing at additional actions that are verbalized by the perfect participle. The overall picture is reproduced by naming units of the participants of the action, a detailed description of these actions and etc.

The accuracy of actions imparting is achieved by the indicators of the exact actions order, their pace, by imparting what the participants heard and saw, by description of the participants' state, the details of the situation:

*Aksenov **entered** the flat **first**, after him – Nikolaev. Nesterov pronounced a phrase: "Everybody who is in the flat, lie down on the floor". Examining the rooms, they scattered around. Leaving the large room, Aksenov **heard the shot** from the corridor. By this shot he was wounded in his stomach. Nikolaev **heard** that shot, he **tried to turn** to the side of the shooter in the corridor, but **very quickly more shots were heard**: he was wounded in the right shoulder, by one shot in the chest, after which he fell down. He saw Kichatov going past him to the exit. **The latter one was calm, did not fuss, fired the fourth shot** into Nikolaev – the bullet went right through the hip. Having gone into the recreation room, Kichatov shot at Nesterov who was standing there – one bullet went right through touching the jacket in the zone of the right shoulder, the second bullet hit the pocket of the jacket. **Some dints from the***

bullets were left on the walls of the recreation room. Nesterov asserts that shooting at him was aiming, the bullets did not reach a goal only because of the fact that Kichatov was in a hurry shooting on the run (Yakovleva, 1998).

Actively used verbs and verbal forms add some dynamism to the narration (*having introduced, showed and asked, having nodded, went away, having closed, having heard, tried to turn, some more shots were heard, fell down, saw, was going past*), sentence fragments with an unsubstituted position of the predicate: *Aksenov entered the flat first, after him – Nikolaev.; ...some more shots were heard: he was wounded in the right shoulder, by one shot in the chest*). The tempo of events is reproduced by words that have the meaning of tempo assessment (*was calm, did not fuss, looked into eyes, fired the fourth shot, and then very quickly, was in a hurry, on the run*). The action appears not only visible, but also hearable (*hammered the lock*). In that way the narration acquires the features of reportage.

Let us consider another example, in which by restrained stylistic means a prosecutor tries not only to exactly reproduce the course of event in detail, but also to transfer its dramatic nature: *On the 15th of August 1994 about 9 p.m. Salov came home in a state of alcoholic intoxication. At home a quarrel with a mother flared up. Salov began to threaten her, and then demanded that his mother immediately hang herself. The woman, of course, refused, at that time he grabbed the woman's neck and began to strangle her, trying to hit her head over the wall and the leg of the bed. The woman actively resisted, she managed to escape from his hands and hide under the bed. Salov tried to take his mother out of there, but he did not manage to do it. And then with the help of one-hotplate electric cooker he set on fire some paper, a tablecloth, rubber sheet, linen and in advance kerosene-poured bedding on the bed, under which the mother hid in despair. Only having been assured that the fire flamed up and his mother would not be able to escape from the fire, Salov leaves the house. However, the woman did manage to escape from the burning house. Whilst, as it follows from the forensic-medical experts' report, she got thermal burns of P-3-A-B degree of the hip outside surface and of the upper right third of her shin to the 4 % of the square of body surface. The injured victim was delivered to the hospital on time, and her life was saved. But, I will particularly emphasise that only her own courage saved her. The house that A.A. Salova possessed burnt with all the property and outhouses. The damage is 7 mln 143 thousand of rubles (Public..., 1996).*

The severity of the fight is reproduced in verbs and participles (*a quarrel flared up, demanded, grabbed her neck, began to strangle, trying to hit, actively resisted, managed to escape* and etc.), an accentuating adverb (*only*), an emphatic verb (*did*), in adverbs, prepositional-noun combinations, participles patterns that specify the circumstances of the ongoing situation (*immediately, actively, in despair, only having been assured that*). The established findings are narrated in that way, and on their basis the theory of crime was given: attempt on the felonious murder that was committed with special cruelty; intentional destruction of alien property by arson.

An analysis and assessment of factual case data collected and investigated in court. This fragment of judicial speech shows active collaboration of sense positions of the participants of examination in court that involves the audience into active participation. That is why dialogism is typical for the stylistics of this fragment that is manifested in an open address to judges, in assessment of someone's positions:

I consider the facts of committing murder and arson undoubtedly evidenced. They are not disputed by the accused and by the defence. And they will not give rise to your doubts about them. The sources of evidence of the occurred fire... are the report about the fire; the findings about the fire; the fireman Mazin's testimony; the witness's testimony... and the victim's testimony.

By the witness Mazin's testimony, the record of the inspection of the accident scene with participation of the forensic doctor it was established that in flat 42 the

dead body of Stephantsov – the host of this flat – had been discovered. Forensic medical **examination detected** that the dead Stephantsov had more than 17 cutting and stab wounds on the face, body, limbs... The death of Stephantsov occurred at the scene of the accident... **As a result of inspection of the accident scene the investigating officer found and taken away crime instruments:** two kitchen knives and a jig saw. These crime instruments were sent to the forensic medical examination, and **the expert gave an answer that** the causing some wounds to the victim Stephantsov was possible with the knife, some other wounds were possible with the smaller seized knife.... **The aggregate of this evidence proves the fact** of committing crimes and answers the question that ... the murder of Stephantsov and arson of this flat occurred.... **The next issue that will demand your attention and profound analysis is the question if it was Artemyev who murdered Stephantsov and who committed the further arson.**

The evidence that the investigation adduced is sufficient for proving the indictment of Artemyev for the murder of Stephantsov Sergey Alexeevich with special cruelty and for arson. Let us analyse together this evidence. ... As for the mechanism of the cutting wounds formation the expert made a conclusion that they could have been acquired because of the knife impact, and scratches on the left hand – because of the saw teeth.

The judicial speech that is performed in an oral form is literally penetrated by dialogism. The forms of its expression are various. In some cases that is polemic, in others – focus on the audience, on the adversary, on the court, on the jury.

For emphasizing a persuasive impact of argumentation the orator aims not only at concentrating the court participants' attention, but also at getting them involved into his or her contemplation.

A personal characteristic of the accused. In a modern prosecutor's accusation there such a part is built more reservedly and objectively (without interfering into the treatment and interpretation of something), although now and then it is impossible for a prosecutor-human to hide the echo of experienced feelings when familiarizing with a case: *When he left the mental health clinic, V. Kondrakov lived at his mother's expense. He did not hurry to get a job, although there were some possibilities. He does not want to work, and hates work... But they are not in easy circumstances: a mother gets a small salary. And this bloodsucker... sees a way out from this situation in crime... Parasitism strings Victor Kondrakov's avidity and pushes him into plunder* (Tsarev, 1995).

The accusatory speech character intends to show the danger of the behaviour of the accused, the selection of language means corresponds to this task: an idiom (*lived at his mother's expense*), a verb with negation (*did not try to get a job, does not want to work*), metaphor (*parasitism strings avidity*), evaluating vocabulary (*bloodsucker, plunder, hates work*).

A theory of crime (a juridical qualification of crime) – this speech activity reflects the course of ascertainment of formal components of a crime by a prosecutor. With this aim a comparison of the signs of the discovered criminal act in the course of judicial investigation and characteristics of these actions that are provided in the criminal law is realised. Therefore, a speech activity supposes a description of criminal actions, a statement of appropriate regulations of the criminal law, substantiation of their compliance, ipso facto ascertainment of formal components of a crime, for example: *Kondrakovs brought to trial on a charge of that they... [further, the discovered criminal acts in the course of judicial investigation are accumulatedly described:] committed a holdup of Krivosheeva A.R. and Krivosheeva A.S., threatening them with murder and beating them, took away 30 rubles, raped and then murdered the victims with special cruelty. The holdup of Krivosheevs for the purpose*

of laying hold of their property was committed by Kondrakovs by previous concert among themselves and with the use of a hammer as the weapon, **that comes within** [a construction typical for this speech activity, because it reveals the course of prosecutor's mental activities – a comparison of what he has learnt and of what is said about it in the law, further, a standard reference to the legislative act follows] items 'a' and 'b' of the second part of Article 146 of the Criminal Code of the Russian Federation. Taking into account that V. Kondrakov was earlier tried under items 'a' and 'b' of the second part of Article 91 of the Criminal Code of the Russian Federation, his acts **are additionally qualified also under** [again the construction typical for this speech activity that reveals the course of prosecutor's mental activities] item 'd' of the second part of Article 146 of the Criminal Code of the Russian Federation. [Further, the justification of legislative acts involvement for the theory is given:] **In accordance with** the decree of the Plenum of the Supreme Court of the USSR dated 3 July 1963 № 9 "About some issues that arose in court practice on the cases of intentional homicide" deprivation of victim's life, committed whilst the holdup, **must be qualified** on the basis of the aggregate, **that is under** item 'a' of Article 102 and Article 146 of the Criminal Code of the Russian Federation. Here **I would like to refer** to the decree of the Plenum of the Supreme Court of the USSR dated 25 March 1964 "About court practice on the cases of rape". [It is typical for this speech activity the use of means of someone's speech transfer, because a prosecutor refers to legislative acts for ascertainment of the formal components of the crime.] **In this decree it is said that** not only the acts of persons who committed a violent sex act, but also the acts of those, who assisted them by using violence to the victim **must be qualified** as a gang rape, at that they must be recognized as joint participants in a crime, but not as abettors. **As it has been ascertained by investigation and in court**, Kondrakov Viktor committed violent sex acts, and Kondrakov Nikolay assisted him in it and **thereby he had the role of** a joint participant of this crime. **I consider that** his acts in this part **are properly qualified** under item 'e' of Article 102 of the Criminal Code of the Russian Federation. Kondrakovs committed intentional homicide of two persons that is directly provided in item 'i' of Article 102 of the Criminal Code of the Russian Federation. **Such is the theory of Kondrakovs' criminal acts** (Tsarev, 1995).

As the analysis of this fragment shows, a speech activity is built by the constructions that introduce someone's speech, by the constructions that transfer the act of comparison of the crime and the law, by the constructions of the reference to the information that will be stated further and of retrospection (the reference to the information that was mentioned earlier) that help focus on the orator's contemplation. Orators seek to impart a speech activity devoted to the theory of the crime reservedly and in a detached way on the basis of legislative acts.

Conclusions about a sentence. In this fragment an orator considers the degree and the character of the social danger of committed crime, the reasons that led to that crime, and the circumstances that soften or aggravate the punishment. At last, in conclusion more often considerations about the sentence are expressed.

The beginning of the fragment is designated by the link construction of the relevant semantics: **Turning to the issue of punishment of the accused, I consider essential** to set our choice on the following. Tushov M. at the moment of committing a crime was under age. **We are not able not to take into consideration** this circumstance. As we see, this speech fragment is imparted in the first person. The extenuation of the guilt is accentuated by means of double negation and a special link construction (**we are not able not to take into consideration**).

To award an objective penalty, orators try to consider the reasons that led the accused to the crime: **Before the arrest he lived in a large, long family, where a father abused alcohol, and a mother was forced** to move to the countryside to maintain such

a family. *Of course Mihail's life can not be called cloudless...* By niggardly paints an orator adds a dramatic effect into his narration, when he characterizes not an easy life of the family in which the accused grew up: the use of homogeneous attributes (*a large and long family*), specific verbs (by one of them the censure of the father's behaviour is expressed *abused*, by another – the sympathy for the mother *was forced*), a negative construction (*...Mihail's life can not be called cloudless...*) stimulate it. Such a statement completely corresponds to the task of accusation – to persuade the court in an objective attitude of the prosecutor to the case in point.

For a demonstration of the degree and the character of social danger of the committed crime evaluating means are used by means of which the assessment of the acts of the accused is expressed: *But does it give him any right to intrude into someone's dwelling, and therefore, into someone's life?* [in the speech some notes of threat appear with the use of evaluating verb *intrude*: it comes from the behaviour of the accused, further in the speech the sounding of threat is broaden with the description of the danger of the acts of the accused that is accentuated by means of negative auxiliary words, by a cascade of interrogative sentences at the end of the paragraph] *Burglaries have become his source of subsistence. He was not stopped not only by the feeling of compassion to people, whose most precious, valuable things he took that they had managed to acquire during all their life, but also a feeling of fear to be overtaken in their own dwellings. Here, in the court room, Tushov M. admitted his guilt, but has he repented? Has he realized what disaster he brought into those families, in whose flats he appeared so suddenly?*

There are no circumstances of the case that aggravate the responsibility of the accused. However, taking into consideration gravity, quantity and social danger of committed crimes, the personality peculiarities of the accused, the facts of the case, I consider that the punishment connected with real deprivation of liberty must be determined for Tushov M. (Reshetova, 1998).

As we see, the indication of the punishment is introduced by the verb in the first person (*I consider*). The expression of the speech for the prosecution in this fragment is directed to the assessment of the crime, to draw judges' attention to the harm that the crime caused.

Metatextual insertions, which help maintain attention to a not written, heard speech, play an important role for a construction of judicial speech: *Dear judges! Let us consider an issue about the theory of the elements of crimes committed by the accused ones* (Tsarev, 1995). Such insertions can be quite often verbose, they are directly addressed to judges and contain appeals, pronouns of the second person, interrogative sentences: *Dear jurors! A judicial investigation has come to an end, and for you a crucial moment is coming to assess the evidence and answer the raised questions: if the crimes were committed – murders and arson; if the accused Artemyev committed them; if the accused is guilty of committing these crimes?* (Tsarev, 1995).

These contact-establishing elements allow listeners to better focus on the text space.

The analysis of the speech genre of accusation shows that despite its oral form its embodiment is submitted to the rigid standards of business writing. The research of language embodiment of this genre has established the sequence of speech activities that stimulates the genre intention achievement. The speech activity of statement of the facts of the case in a criminal court embodies a narration that reconstructs the course of criminal acts. The speech activity of the analysis and assessment of collected factual data of the case and investigated in court is built as an expression of the assessment of someone's statements, someone's speech. The activity of characteristics of the personality of the accused is actualized as an evaluating

description of the person. The speech activity of the theory of the crime presupposes a description of crime acts by the terms of legislative act. The wording of conclusions about the punishment is built as the statement of adopted decisions.

Conclusions

The activity approach to the definition of the official-business style that is formed in the legal sphere of communication allows us to set off its variety in the frames of the functional style – the professional style that is expressed in its specific manner to construct texts that are aimed at accomplishing professional tasks.

The professional prosecutorial style includes the texts of three groups – binding-over, requesting and notifying. Each group includes a number of speech genres in which a binding-over order is expressed as a bind (legal obligation), a formal request / a motion (in court) as a recommendation for elimination of law infringements or for prevention of infringements, a notice as information about supervision actions. All these genres draw up a system of speech models the use of which allows prosecutors to execute their professional duties.

In each speech genre for achieving professional intentions such speech activities are embodied that are created by the use of language means of different levels. In other words, a speech genre is organized by an original speech systemacy that allows us to transfer the senses in demand.

The speech genre of accusation in court despite its oral form of its performance embodies all the specific for the official-business style features – imperativeness, accuracy, standardisation, objectivity. The speech manner of the sequence of speech activities transfer by language means – a statement of the facts of the case; the analysis and assessment of the factual data of the case collected and investigated in court; the personal characteristic of the accused; the theory of the crime; the wording of conclusions about the punishment – constructs a genre style of accusation.

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