

## **Linguistic Manipulative Role in Criminal Trial Court Room Discourse in Kibera Law Courts, Nairobi, Kenya**

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### **Abstract**

This study sought to examine how unequal distribution of power may be used to create imbalance among court participants, and to exemplify how control is achieved and challenged in the courtroom through linguistic manipulation. Precisely, the study identified manipulative techniques employed by legal professionals to wield dominance and control in criminal trials, discussed manipulative strategies employed by lay defendants to achieve control during various segments of criminal trials, and investigated how the power imbalance among court participants is reflected in their ability to employ linguistic manipulation. To achieve these objectives, the study adopted a case study research design. The study adopted both qualitative and quantitative research methods of data collection and data analysis. The data comprised 20 hours of audio-recorded court proceedings of criminal trials heard between August and September 2016. Judgmental sampling was used to select instances of linguistic manipulation by court participants in the various segments of criminal trials. Data were analyzed by use of SPSS software to generate statistics on the frequency of the occurrence of linguistic features. The statistical results formed the basis for the discussion of the emerging trends in the analysis section. The Critical Discourse Analysis (CDA), theoretical framework which holds that a study of the micro-discourse structures such as lexical choices, syntactic form and pragmatic interpretation in a given context leads to an understanding of the macro-discourse social structures such as power and dominance was predominantly used to support the studies stand point. The study confirmed that both legal professionals and defendants apply linguistic manipulative techniques as alternative questions and interruption to exercise control and dominance of the discourse in criminal trials at an almost equal level despite their differences in legal knowledge. It further established that power is not evenly distributed among court participants and that this power imbalance is more prevalent among the officials of the court. The study recommends an in-depth similar study using video recording so as to examine the prevalent paralinguistic features in courtroom discourse.

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