

## A Study on Vagueness Used by the Defendant in Courtroom Discourse from the Perspective of Adaptation Theory

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### Abstract

Court discourse is a typical legal language, recently arousing scholars' interest. In the courtroom discourse, many language strategies would be applied in this special setting out of various purposes and vagueness is one of them. With the transcripts from the Jodi Arias' murder case as the database, this paper investigates vagueness in the American courtroom from the perspective of adaptation theory, paying specific attention to the defendant. Two conclusions are reached: (1) the defendant uses vagueness commonly to adapt to the mental world, the social world and the physical world. As to the mental world, it can be divided into speaker-directed adaptation and hearer-directed adaptation. As to the social world, the study analyzes how the defendant adapts to the legal obligation. Defendant also adapts to the physical world in courtroom settings. (2) the study finds four pragmatic functions of vagueness used by the defendant in the courtroom discourse, they are 1) increasing the credibility of utterance; 2) avoiding absolute utterance; 3) providing appropriate information; 4) Being polite.

**Key words:** Vagueness; Adaptation theory; Courtroom discourse; Jodi Arias' murder case

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### 1. INTRODUCTION

Law is closely related to the language. Since the 20th century when many scholars have steered their attention to the studies of law from the perspective of linguistics (Liao, 2006), court discourse has received much attention as a typical legal language. Recent studies have examined various linguistic phenomena in the courtroom such as modality, intertextuality, speech reporting, reference strategies (Chaemsaitong, 2017, 2018, 2019; Chaemsaitong & Kim, 2018; D'hondt & van der Houwen, 2014; Shi, 2012). As one of the most important language strategies, vagueness, which is commonly used in the courtroom, also has received some attention (Cotterill, 2007; Cui, et al., 2017; Janney, 2002). Previous studies on vagueness in court mainly focus on the use and abuse of vagueness (Cotterill, 2007), vague interpretation of answers (Janney, 2002), the relationship between the roles and the use of vagueness (Cui, et al., 2017). However, these studies fail to pay specific attention to vagueness used by the defendant and ignore the investigation in the American courtroom. Generally speaking, the defendant is in a disadvantageous position in the courtroom, as the defendant is regarded as the suspect who intrudes on other people's rights and impairs their certain interests. His or her use of vagueness must be derived from certain motivations or purposes. To better understand the defendants' communicative activity in court, it deserves our exploration that how vagueness is used as a specific strategy in his or her speech, especially considering their underprivileged position. Therefore, the present study aims to explore vagueness used by the defendant in American courtroom discourse from the perspective of adaptation theory. Especially, the paper will focus on the following research questions:

How is vagueness used by the defendant adapted to the defendant's mental world, physical world and social world?

What are the pragmatic functions of vagueness in courtroom discourse?

Through the research, we hope to deepen the understanding of the defendants' language mechanism, strengthen the efficient communication in court and thus help the better achievement of the justice of the law. We also hope to extend the research on vagueness from the perspective of adaptation theory and especially shed light on forensic linguistic study.

### 1.1 Vagueness

Many philosophers and scholars have given various definitions of vagueness before. Charles S. Peirce, an American philosopher, was considered as the originator of the definition of vagueness in language. He (1902) defined vagueness as "A proposition is vague where there are possible states of things concerning which it is intrinsically uncertain whether, had they been contemplated by the speaker, he would have regarded them as excluded or allowed by the proposition." British philosopher Russel (1923) maintained that language is more or less vague and pointed out that "a representation is vague when the relation of the representing system to represented system is not one-one but one-many". Ulmann (1962) elaborated the features of "vagueness" and elaborated that "if one looks more closely at this vagueness one soon discovers that the term is itself rather vague and ambiguous.", which means vagueness doesn't have a consistent feature but has many aspects and may arise from a variety causes; some are intrinsic in the very nature language, while others come into play in specific situations. They all agreed vagueness is the inherent nature of language. Grice (1975, p.46) first studied vagueness from the perspective of pragmatics and semantics and proposed the term "pragmatic vagueness" and "semantic vagueness".

### 1.2 Vagueness in Legal Discourse

The study of vagueness can be divided into written and oral form in legal discourse. For oral legal language, the courtroom discourse is especially focused on. It has been found that the use of vague language is greatly influenced by the status and power that participants own in the courtroom, which is reflected by the fact that differences exist among the frequencies and types of vague language for different courtroom roles (Cui et al., 2017). A study also reveals that the language interpreted as vague partly results from the self-contextualizing effects of co-text in court (Janney, 2002). For the written form, the role that vague language plays are explored in legislative texts, which demonstrates their discursive functions and different diachronic usages reflected by different types of vague language (Li, 2017, 2019). However, the focus on vagueness in legal discourse has eclipsed the exploration of the pragmatic function of vagueness in American courtroom discourse

and especially, vagueness used by the defendant has received little attention. It is significant to explore how vague language is used by defendants as one of his communicative strategies for a better understanding of courtroom discourse and defendants' speech. Therefore, this passage will try to bridge the gap and study vagueness used by the defendant from the perspective of adaption theory in American courtroom discourse.

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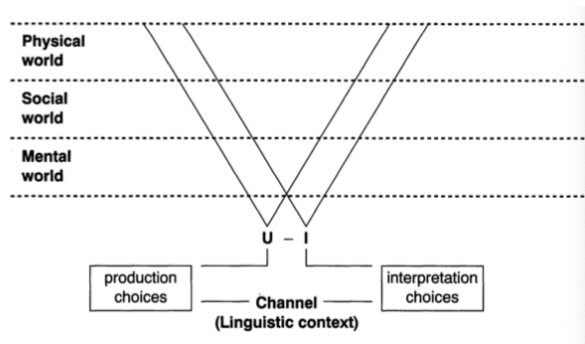
## 2. THEORETICAL FRAMEWORK

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Adaptation theory, proposed by Jef Verschueren (1999), provides a new angle to understand and explain the pragmatics (He & Yu, 1999). It is proposed that language use is a process of making language choice no matter whether the language choice is conscious or unconscious, at the inter-language level or extra-language level.

The features of language choices are elaborated as three key notions, i.e. variability, negotiability and adaptability. Variability refers to that a variation of expressions can be selected by language users to express certain information. Negotiability involves that language choice is not made mechanically, or by obeying strict rules or form-function relations. Rather, it is highly flexible and made according to language strategies. Adaptability is a characteristic of language, which means people can make suitable choices from a variation of language choices to satisfy their communicative needs.

Contextual correlates of adaptability are one of the most important angles that worth consideration in pragmatic descriptions and explanations. Correlates of adaptability discuss the factors that motivate and/or are affected by the choices that are made. The contexts involved in the discussion are communicative context and linguistic context. Contextual correlates of adaptability include all the ingredients of communicative context with which linguistic choices have to be interadaptable (Verschueren, 1999, p. 66). Physical world, social world and interlocutors' mental world are considered in the communicative context. Physical world consists of temporal reference, spatial reference and other material conditions concerned with the speaker and interpreter. Social world involves social settings, institutions, social norms, power relations and many other social factors that influence the speaker's linguistic choices. The mental world involves interlocutors' beliefs, emotions, motivations, personality, and other mental factors that influence the speaker's linguistic choices. The linguistic context includes various linguistic strategies chosen in language use, such as contextual cohesion, sequencing and intertextuality as well as linguistic channel which includes oral and textual. The relationship between linguistic context and communicative context is shown in the Figure 1.



**Figure 1**  
**Contextual correlates of adaptability**

The utterer and interpreter are regarded as the focal points. They take the role of producing utterances and interpreting them. Verschueren pointed out that from the pragmatic perspective, the utterer and the interpreter are functional entities and social roles, which are more important than the concrete person in real life, as in different context people have different identities; besides, the utterer and the interpreter are changing all the time in the process of communication.

Another three angles involve structural objects of adaptability, dynamics of adaptability and salience of the adaptation process. Structural objects of adaptability indicate that language choices can occur in all possible linguistic structures both at the microlevel, i.e. phonetic, phonological, morphological, syntactical, lexical and semantical choice, and at the macrolevel, i.e. cohesion, information structure, and language strategies. Dynamics of adaptability, the central point of Verschueren's theory, means language users have to make changing language choices to adapt to the changing context with the progress of dynamic communication. The salience of the adaption means that people make language choices with different degrees of consciousness. The degree of salience varies with different contexts and cultures.

#### 4. METHOD AND CASE DESCRIPTION

This study is a qualitative and descriptive study. The data comes from the courtroom transcription of cross-examination in the part one of Day 21, when the prosecutor Martinez cross-examined the defendant Jodi. The total transcript includes 8216 words.

The case of Jodi Arias' murder has received widespread media attention. The details of the case can be summarized as follows: Travis Victor Alexander was an American salesman who was murdered by his ex-girlfriend, Jodi Ann Arias in his house in Mesa, Arizona. Alexander and Arias began dating in February 2007. Alexander and Arias dated intermittently for a year and a half, often in a long-distance relationship, taking turns traveling between their respective Arizona and California homes. Arias moved to Mesa to live closer to Alexander.

In March 2007, she moved to Yreka, California, and lived there with her grandparents. After they broke up, they still kept in touch and had a sexual relationship. Jodi had a strong desire for control and was homogamous in their relationship. According to Alexander's friends who knew Arias and observed them together, they tended to have a negative opinion of her, stating that the relationship was unusually tumultuous and that Arias' behavior was worrying. Alexander was murdered by Jodi on June 4, 2008. At the time of the murder, Alexander sustained multiple knife wounds and a gunshot to the head.

#### 5. DATA ANALYSIS AND DISCUSSION

Next, detailed analysis and discussions concerned with the defendant's use of vagueness in American court discourse will be conducted from the perspective of adaptation. The present study will pay specific attention to contextual correlates of adaptability with the pragmatic functions of vagueness analyzed at last.

The element of adaptability in communicative context will be focused on in this paper. The communicative context includes mental world, social world and physical world. Any linguistic choices the language users make is a result of the adaption to the three worlds during the communicative process. Therefore, vague language the defendant Jodi use is also a result of the adaptation to her mental, physical and social world to meet her communicative need in the courtroom.

##### 5.1 Adaptation to the Mental World

The mental world refers to psychological factors and emotional factors, consisting of communicators' desires, emotions, intentions, beliefs, and motivations (Verschueren, 1999). Vague language is a kind of linguistic choices which shows a dynamic process of adaptation to speakers' and hearer's mental world. In courtroom discourse, motivation is an indispensable element to the mental world, which influences and even helps speakers to make linguistic choices. As motivations derive from a complex mental process, participants including the defendant are driven by various motivations to utter the vague language. This paper intends to analyze the two aspects of the mental motivations on the vague language made by the defendant Jodi, that is, speaker-directed motivation, and hear-directed motivation. Speaker-directed motivation is defendant Jodi's motivation analyzed from Jodi's angle and hearer-directed motivation is Jodi's motivation analyzed from other people's angles.

##### 5.1.1 Adaptations to the Speaker-Directed Motivation

Generally speaking, motivation comes from wishes, desires and various people's needs. From the collected data, several motivations can be concluded. They are self-protection, the harmony of relationship, mitigation and clarifying.

First, defendant-Jodi utters vague language for the purpose of self-protection. Self-protection is mainly reflected by the intention of “wanting to avoid later being shown to have said or written something which is not true” (Channell, 1994) or of using vague language to avoid directly admitting the statement which is disadvantageous to the speaker. The following examples show the motivation of self-protection

**Example 1:**

**Martinez:** And this photograph was taken by your camera, correct?

**Jodi:** *It looks like it*

In this case, Jodi used her camera to take the picture of someone. The prosecutor asked Jodi and needed to confirm whether the photo is taken by her camera. It is Jodi’s camera, but admitting the ownership of the camera for Jodi means the exposure of more physical evidence to the prosecutor. Therefore, Jodi just used the vague expression of “it looks like it” to protect herself, prevent giving direct admission.

**Example 2:**

**Martinez:** Now with regard to this name-calling, one of the things that we’ve heard the text message was that you were upset at some point because Mr. Alexander said that you were going to turn out like your mother where you were acting like your mother. Do you remember that text message, ma’am?

**Jodi:** Yes.

**Martinez:** And in that text message there was this indication that somehow, he was saying something bad about your mother, right?

**Jodi:** Yes.

**Martinez:** And when you testified you seemed to get pretty upset about that, right?

**Jodi:** I remember *getting emotional*.

In this case, the prosecutor Martinez asked whether Jodi was upset about her ex-boyfriend Alexander as Alexander degraded her mother before, and in the text message Alexander pointed out that Jodi acted like her mother. If Jodi admitted she was upset, it would give the jury and the judge the impression that Jodi had the negative emotions towards her ex-boyfriend-Alexander and it would be one of her killing’s motivations. Therefore, Jodi restated the prosecutor Martinez’s expression by using the vague word “emotional”, which avoids admitting the statement “she was upset”. “Emotional” is a fuzzy word, as “emotional” can mean various emotions, not only limited to “upset”. Jodi’s reply is not a direct rebuttal of prosecutor’s statement, nor a direct admission, which shows her self-protection.

**Example 3:**

**Martinez:** And you did go over there and at some point, you start to peep in to the house, didn’t you?

**Jodi:** Yes.

**Martinez:** So that means that you don’t know if you knock the door.

**Jodi:** I did not knock I know I did not.

**Martinez:** So, you went around the back then did it, all right?

**Jodi:** *I would run the back to get in.*

In this case, the prosecutor asked Jodi whether she got into ex-Alexander’s house and peeped into the house. The prosecutor used the tag question and Jodi was supposed to just answer it by “yes” or “no”. However, she used the vague expression “would run the back to get in” to prevent answering “yes”. That’s because if she directly admitted she went around the back to get in the house and answered yes directly, it would give the jury and judge, it is her fault and responsibility to intrude Alexander’s house. She just used the vague expression “would” to show she just had the intention to get in but didn’t directly manifest she had got in for the purpose of self-protection.

**Example 4**

**Martinez:** Do you remember that you testified that on January 22nd of 2008 you and Mr. Alexander were involved in some sort of violent encounter do you remember telling us about that?

**Jodi:** Yes.

....

**Martinez:** Well you talk to Ryan Burns about it again

**Jodi:** Yes.

**Martinez:** And you told him that that finger the left ring finger had been damaged right injured, didn’t you?

**Jodi:** *I don’t know if it was the left.*

**Martinez:** You don’t remember telling him it was the left ring finger.

**Jodi:** yeah

**Martinez:** Do you again, do you have a problem with memory.

**Jodi:** Occasionally.

In this case, Jodi testified before she and Mr. Alexander were involved in some sort of violence before and in that process, her finger suffered from damage and was bent. When prosecutor Martinez confirm whether Jodi told her sexual partner Ryan Burns about the left ring finger was bent, Jodi used vague language “I don’t know” to intend to protect herself, as Jodi wanted to avoid later being shown to have said something which is not true.

When the defendant Jodi was faced with the prosecution from the prosecutor, the prosecutor cross-examined Jodi to attempt to find out the evidence to testify Jodi is guilty and incredible. Jodi used a lot of vague expressions to avoid directly providing the evidence which is disadvantageous to her and to avoid being proved false in the courtroom.

Second, the vague language used by the defendant is to mitigate the responsibility of the defendant or the worsening effect of utterance. Fraser (1980) pointed out that the mitigation strategy often reduces the force of a speech act which might be “unwelcome to the hearer” In order to mitigate the worsening effect of utterance, many communicative strategies can be applied and vague



language is one of them. When the prosecutor pointed out

**Example 5:**

**Martinez:** But you did indicate at some point that it's part of your examination also that Mr. Alexander at some point said something about your grandparents also. Do you remember telling us that?

**Jodi:** My grandfather.

.....

**Martinez:** Right, and some of one of the things that seems to be coming out here is that you seem to have a double standard here with regard to making comments about people, don't you?

**Jodi:** Yes, I do. I do.

**Martinez:** And in fact, it's okay for you to make comments about, for example, Angela and copper dumb and stupid, right?

**Jodi:** No.

**Martinez:** Well, but it. You said it, right?

**Jodi:** I did.

**Martinez:** And we heard on the telephone conversation that you were laughing when you said that, right?

**Jodi:** Yeah, *I was sentimental kind of.*

In this conversation, the prosecutor Martinez said once in the courtroom Jodi blame ex-boyfriend Alexander for making some pejorative comments towards her grandfather but Jodi also laughed at her sister and described her as dumb and stupid, so the prosecutor Martinez pointed out the Jodi has a double standard with regard to making comment about people. For the fact that she laughed at her sister as stupid and dumb, which was evidenced by the telephone conversation and cannot be denied by her, she used the vague language "sentimental kind of" to describe her act. "sentimental kind of" is an understatement, by which Jodi just understated her laugh towards her sister as kind of easily being governed by emotion and weakened the effect of her laugh. It shows Jodi's effort to mitigate her responsibility of laughing at other people and applying a double standard with regard to commenting on others.

**Example 6**

**Martinez:** So, you're saying that you were restricted in only getting work at restaurants. If there's no other kind of work that you could get.

**Jodi:** Restaurants is... (bubbling)

**Martinez:** Yes or no?

**Jodi:** *I guess that would be known* that I hadn't thought about it.

In the case, Jodi admitted that she had been receiving the money from Alexander, as she had been working in the restaurant (indicating a low salary). Prosecutor Martinez confirmed whether there is no other kind of work she could get. Jodi used the vague expression "I guess that would be known that I hadn't thought about it.", which indicated that the fact that she didn't thought

about/consider changing a job is accepted and known by many people, So the state of not thinking about changing a job didn't deserve so much attention. Therefore, the vague expression "I guess that would be known" mitigate the worsening effect of her utterance

Thirdly, the use of vague language is for the harmony of relationships. In the courtroom setting, participants at the trial are strangers who don't trust each other and have different interests. Especially for the prosecutor and the defendant, they are in opposite positions. Generally speaking, the defendant is in a weak position as he/she faces the accusation. In this situation, the defendant would use vague language to try to avoiding irritate the prosecutor.

**Example 7**

**Martinez:** And one of the other things that you told us yesterday was that you were monogamous for Mr. Alexander, right?

**Jodi:** Sexually monogamous, yes.

**Martinez:** ma'am, you told us you were monogamous. And that's what monogamous means sexually, doesn't it?

**Jodi:** *I think* it means more than that sometimes.

In this example, the prosecutor confirmed whether she is sexually monogamous throughout the relationship. Jodi wanted to clarify she is not always sexually monogamous. She used the vague language "I think", for the purpose of maintaining interpersonal relationships, as the vague language eases the affirmative tone and avoids giving judges and juries the impression that they have imposed their opinions on others.

**Example 8:**

**Martinez:** That's you telling us that he was trying to court you back. If he's trying to court you back you could have just walked away at that point, couldn't you?

**Jodi:** Yeah, *I could have* at any time. *I guess.*

Jodi used the excuse that Alexander still tried to court her back to explain why she thought it was okay and normal to get in the ex-boyfriend's house and to be emotional for seeing ex-boyfriend have sex with another woman. In this example, the prosecutor Martinez asked Jodi why Jodi didn't go away when faced with the courting of Alexander. Jodi didn't show the objection in no time, but shows a sense of agreement by using the vague language. It avoids direct conflicts with the prosecutor in the courtroom.

Fourth, the defendant's use of vague language is to clarify for herself; the defendant uses vague language to argue for herself.

**Example 9**

**Martinez:** Did you or did you not indicate that you loved your mother. I'm not asking you if you love your mother. I'm asking if you indicated it.

**Jodi:** I don't remember.

**Martinez:** Do you have problems with your memory, ma'am?

**Jodi:** Sometimes.

**Martinez:** So, you can tell us for example what kind of coffee you bought at Starbucks back on June 3rd of 2008, but you can't tell us what you said yesterday or the day before.

**Jodi:** I *always* got the same drink at Starbucks.

In this example, Jodi declared sometimes she had a problem with the memory to explain the cause that she didn't remember whether she indicated she loved her mother or not. Martinez questioned she can remember the kind of coffee she bought on the June 3rd of 2008 but can't remember what she said yesterday. Jodi used the vague word "always" to clarify for herself: that's because she always got the same drink.

**Example 10:**

**Martinez:** And you can tell us for example what type of sex you had with

Mr. Alexander many years ago, but you're having trouble telling us what you said a couple of days ago when.

**Jodi:** I'm under stress yeah. It affects my memory.

**Martinez:** I thought you said the relationship with Mr. Alexander was very stressful.

**Jodi:** *Some* of the sex wasn't.

In example 10, Martinez questioned Jodi about her clear memory: though she claimed she was so stressed in the relationship with Alexander that she lost some memory, she can remember the sex type with Alexander. Jodi argued for herself by announcing some of the sex wasn't stressful. The vague language used here show her clarification, which also indicates she didn't want to provide more information.

### 5.1.2 Hearer-Directed Motivation

From the hearer's perspective, one of the motivations the defendant intends to achieve is to get sympathy and understanding from the hearer, generally speaking, from the judge and jury. Therefore, the defendant intends to use a number of communicative strategies to achieve this hear-directed motivation. Vagueness is one of the communicative strategies used by the defendant. The following examples show how vagueness is used to the defendant's hearer-directed motivation: getting sympathy and understanding from the hearer.

**Example 11**

**Martinez:** You met him on the fifth, right?

**Jodi:** Yes.

**Martinez:** And so, at that point you did know according to your own story that Mr. Alexander was dead, right?

**Jodi:** *I guess I knew* I didn't, wasn't accepting it.

In this example, the prosecutor asked her to confirm whether she knew the death of Alexander. The defendant Jodi described herself as not accepting the death. The vague language "I guess I knew" shows the defendant wants to express her knowing of her ex-boyfriend's

death in a mild way, which also indicates her not willing to accept the death of her boyfriend. In this way, the defendant tries to make the hearers, especially the judge and jury sympathetic to her. It was her communicative strategies to make other people feel that Jodi didn't want Alexander to die.

**Example 12:**

**Martinez:** Did you know he was dead when you were Mr. Burns and he were kissing.

**Jodi:** um yeah, I think I did.

**Martinez:** You think you did, but you're not sure with that.

**Jodi:** I don't wasn't really in my own mind. I was *out of my mind sort of*.

In this example, like example 11, when the prosecutor asked Jodi to confirm whether she knew the death of her ex-boyfriend Alexander when she was kissing with Mr. Burns, she used the vague language "out of my mind sort of" to make other people sympathetic to her. The vague language shows that she was in shock and didn't accept the death of Alexander.

## 5.2 Adaptation to Social World

The social world involves all types of social elements that have impacts on communication, consisting of social settings, social institutions, social conventions, etc. (Verschuere, 1999). As everyone makes linguistic choices in the social environment, the adaptability of language to the social world is inevitable. Various language strategies and styles are the results of adaptation to the social world. These social elements give rise to various communicative styles and strategies.

Obviously, the use of vagueness in the courtroom should consider the involvement of social factors in the process of courtroom interaction. This study will focus on how vagueness used by the defendant in courtroom discourse adapts to legal obligation.

In the courtroom discourse, everyone should perform their duties. For example, the judge's duty is to make a righteous judgment; the attorney of a plaintiff's duty is to prove the guilt of the defendant. The witness takes the responsibility of providing true information and evidence. As for defendants, their law duties demand them to provide truthful evidence. The following examples illustrate how vagueness used by the defendant in courtroom discourse adapts to legal obligation.

**Example 13:**

**Martinez:** ma'am, was it a light or was it a television? That was all.

**Jodi:** It was *like* from a television screen.

In example 13, the context is that Jodi got into Alexander's house and see her ex-boyfriend kissing with a woman. The prosecutor asked Jodi to confirm whether there is light or television was on, so that Jodi can see them clearly. Jodi's answer used the vague expression "it was like from xxx". The defendant has an obligation

to provide true information. Therefore, when Jodi was not sure of the source of the light, she used the vague language “like” to express her uncertainty, which can increase the validity of her utterance and illustrate she adapted to the social world.

#### **Example 14**

**Martinez:** Oh, how long would it take you to drive?

**Jodi:** It’s *about 15 minutes* depending on traffic.

In the example 14, the prosecutor asked how long it would take Jodi to drive to reach Alexander’s home. Jodi used the vague language “about” to describe the distance. The vague word “about” makes the statement more accurate; the speaker can avoid being too assertive in the courtroom and increase the validity of utterances, which reflected the speaker’s efforts of making language accurate in the trial.

Proper vague information can change the truth conditions of the discourse, make some corrections to the dialogue, and make the utterance that is close to correct but not completely correct in communication more appropriate, more in line with the actual situation. It also can avoid arbitrariness in the courtroom discourse. Therefore, the vague language used by the defendant—Jodi also can achieve such functions, which help adapt to the social world of Jodi.

### **5.3 Adaptation to the Physical World**

The physical world mainly involves time and space (Verschueren, 1999). In terms of time, time of utterances and reference time are included; As for space, it refers to utterance space and reference space. Besides, the physical world also refers to physical conditions, biological features, bodily postures, etc. The vagueness is also commonly used to adapt to the physical world. The following examples illustrate these points.

Example 15:

**Martinez:** And you broke up with him on June 29, 2007, right?

**Jodi:** Yes.

**Martinez:** But you felt that it was okay for you to go over to his house in August of 2007, didn’t you?

**Jodi:** *after he told me, yeah.*

In example 15, Martinez asked to confirm whether it is okay for her to go to her ex-boyfriend’s house after they broke up. Jodi replied after her ex-boyfriend told her to go to his house, it is okay for her. Jodi’s reply adapts to her experience in terms of time, though she used vague language not to show the accurate time about when her ex-boyfriend told her. It reflects Jodi’s utterance adapting to the physical world.

## **6. DISCUSSION: PRAGMATIC FUNCTIONS OF VAGUENESS**

According to the previous analysis, it is known that the defendant uses vagueness to adapt to their mental world,

social world and physical world. Vagueness is a very important communicative strategy used in the courtroom. The application of vagueness plays an important role in enhancing the expressive forces in the courtroom discourse. According to Verschueren (1999), pragmatics should also consider the functions of language within a specific context of use. As some specific functions have been mentioned before sporadically, in this section, the pragmatic function of vagueness will be concluded.

### **6.1 Increasing the Credibility of Utterance**

In the courtroom, it is every participant’s duty to speak truthfully, including the defendant. Therefore, every courtroom participant will try to make themselves seen as the conveyer of appropriate information. The use of vagueness such as “about, around + other words” would give people the impression that he/ she makes the utterance with discretion and prudence. Therefore, the credibility of utterance is increased, which cater to the features of courtroom discourse, i.e. accuracy and preciseness.

### **6.2 Avoiding Absolute Utterance**

In the courtroom, it would greatly harm the participant’s credibility if the utterances the participant elicits proves wrong. Therefore, vagueness is commonly used as a communicative strategy as its pragmatic function of avoiding absolute utterance. For example, when people use expressions such as “it looks like; I guess, sort of” to avoid absolute utterance, it can mitigate the risk of the utterance being proved wrong due to faulty memory or explanations. Therefore, the use of vagueness can protect people from responsibility by avoiding absolute utterance.

### **6.3 Providing Appropriate Information**

Theoretically, the information should be given accurately, objectively and precisely by communicators. According to the cooperative principle put forward by Grice (1975), an utterance should meet the need as the conversations require, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged. As for the maxim of quantity, the information provided by utterers should satisfy hearers’ needs. However, in many situations, speakers provide incomplete information, including in the courtroom. Vague language is one of the linguistic strategies used by courtroom participants. Channell (1994) mentioned that one possible use of vagueness is to tailor an utterance so that the right amount of information is given. Vagueness enables speakers in the courtroom to convey the appropriate message when they lack adequate information or lose some information due to unclear memory. Vague expressions also can be used when speakers in the courtroom think less precision is required in the utterance. Besides, some courtroom participants such as the defendant have the intention to hold some information back out of self-protection, so vague language is used by

them. For example, in example 13, Jodi used the vague expression “it was like from television” to protect herself from providing wrong information as for her unclear memory.

#### 6.4 Being Polite

Politeness is usually seen as a kind of very important pragmatic phenomenon. People use politeness to promote harmonious relationships and alleviate conflicts. According to Leech who proposed the politeness principle, politeness is one of the indispensable elements in the interaction. In the courtroom interaction, vague language is also used by people to make the utterance politer. The defendant in the courtroom is in a disadvantageous position and it is common for them to use vague language to prevent the conflict with prosecutor, judge, etc. For example, when the defendant uses “I guess; I think” to elicit the utterance which aims to counter the prosecutor, the degree of conflict will be lowered and that of politeness will be increased.

### CONCLUSION

The paper takes Jodi Arias’ murder case as an example and focuses on the vagueness used by the defendant in America courtroom discourse within the theoretical framework of adaptation theory. The major findings can be summed up as follows:

On the one hand, the defendant uses vagueness commonly to adapt to the mental world, the social world and the physical world. As to the mental world, it can be divided into speaker-directed adaptation and hearer-directed adaptation. As to the social world, the study analyzes how the defendant adapts to the legal obligation. Defendant also adapts to the physical world in courtroom settings. On the other hand, the study finds four pragmatic functions of vagueness used by the defendant in the courtroom discourse, they are 1) increasing the credibility of utterance; 2) avoiding absolute utterance; 3) providing appropriate information 4) Being polite.

Despite the intensive efforts, there are still some limitations in the present study. Vagueness is not only used by the defendant; it is also commonly used by other participants in the courtroom. Therefore, it is an outlook for future research to study the vagueness for other courtroom participants. Besides, the data of courtroom discourse are not large enough which may be not representative. Therefore, it is suggested that researchers in the future can establish a larger corpus.

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