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A forensic-pragmatic analysis of the opening statements in Donald Trump's New York hush-money trial

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ABSTRACT

This paper presents a forensic-pragmatic analysis of the opening statements in Donald Trump's hush-money trial (2024) by drawing on speech act theory and Gricean pragmatics. The analytical focus is on two pragmatic strategies: speech acts and implicatures. The main objective of the paper is to identify and analyze the speech acts and implicatures employed in the opening statements in Trump's trial and to demonstrate how speech acts and implicatures contribute to the construction of legal meanings in the two opening statements. The paper adopts a qualitative forensic-pragmatic analysis, with a focus on the extent to which speech acts and implicatures communicate specific communicative functions and contextual meanings that shape the pragmatic interpretation of the opening statements. The paper has two main findings: First, the two attorneys in Trump's trial employ speech acts, particularly assertives and directives, to construct competing descriptions of the events and create their own narrative and position. Second, the two attorneys use implicatures to imply some evaluative and evidential meanings that contribute to the persuasive and argumentative power of courtroom opening statements. The study highlights the contribution of forensic pragmatics to investigating opening statements as sites of competing rhetorical powers that are entirely predicated on the dexterous use and abuse of language as a strategic instrument in courtroom discourse.

KEYWORDS: courtroom discourse, forensic pragmatics, implicature, opening statements, speech acts, Trump's trial

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1. Introduction

Courtrooms are sites where language is used and abused to communicate specific meanings, and rhetorical power is produced and maintained between discourse participants (Chen, 2021). Within courtrooms, language is investigated in terms of its reciprocal connection with law and how its pragmatic weight affects the discursive scenarios of courtroom discourse. Such reciprocity between language and law is studied by forensic linguistics (Coulthard et al., 2017), wherein language has become more prevalent in advocating the assumption that choices made in language construction do more than carry the message and function to construct evidence, testimony, responsibility, credibility, and alternative meanings (Guillén-Nieto & Stein, 2021). In this regard, pragmatics in forensic linguistics has much relevance since legal meanings cannot be exhausted in the semantic content of what is being said but depends on communicative intent and context (Adai & Hassan, 2024). Therefore, courtroom discourse is a strategic way of communication in which attorneys make specific linguistic choices to construct propositions as credible, draw attention to specific meanings, and place parties in relationship to each other. According to Coulthard et al. (2017), language plays an important role in the construction of the meaning of evidence and testimony in legal contexts. Gibbons (2003) also argues that language should be analyzed in the context of the justice system institutionally. Moreover, Cotterill (2003) states that discourse in the courtroom is persuasive and interactive, since it consists of linguistic decisions aimed at achieving particular goals in accordance with the adversarial nature of the court process. Pragmatically, the language used in the courtroom cannot be purely informative, as it implies the performance of actions, the production of implicated meanings, and the management of personal relations. While pragmatics broadly examines language in context (Khafaga, 2022), forensic pragmatics investigates the extent to which linguistic mechanisms, such as speech acts and implicatures, operate within legal settings. Forensic pragmatics is concerned with the study of how legal actors use language to construct meanings in legal contexts. As such, in courtroom discourse pragmatic choices not only serve communicative purposes but also forensic functions, as they directly serve legal objectives, including the construction of evidential claims in courtrooms and shape the interpretative outcomes of the jury's decisions. Consequently, adopting a forensic-pragmatic approach suggests that the use of speech acts and implicatures can affect the interpretation of courtroom discourse and the presentation of legal positions (Hasan & Al Rashed, 2024).

Among the different genres of courtroom discourse, opening statements occupy a particularly significant position. While witness examination involves direct interaction between the attorneys and the witnesses by asking and answering questions, an opening statement is basically a monologic and pragmatically dialogic form of courtroom discourse because the opposing attorneys offer conflicting stories on the case to the jury (Supardi, 2016). The role of opening statements is not only to introduce evidence; the attorneys also construct a narrative structure for interpreting evidence. Chaemsaithong (2017a) demonstrates that courtroom opening statements are highly dialogic despite their monologic surface structure, because attorneys incorporate and negotiate multiple voices in constructing competing versions of reality. Such observations make pragmatics pertinent to the analysis of opening statements, since their persuasive force depends partly on what speakers accomplish through their utterances and what they encourage their audiences to infer (Khafaga, 2021). This means that opening statements can be perceived as a strategically arranged communication act, where assertions, accusations, evaluations, predictions, and directives are utilized to create an interpretation of their choosing prior to the provision of any evidence (Chaemsaithong & Simuang, 2023).

This study investigates the opening statements delivered by the prosecution and defense in Donald Trump's New York trial on the hush money charges (2024). Adopting a forensic-pragmatic analysis is significantly pertinent to the contextual environment of the trial at hand, since there was an opposition of legal sides that provided different interpretations of the same events, people, and pieces of evidence in front of a jury. Instead of probing the trial from a political point of view, this study focuses on the linguistic strategies used to provide particular pragmatic interpretations. Although previous research (e.g., Goźdź-Roszkowski, 2021; Faizullah et al., 2025; Francisco & De Roxas, 2026) has examined courtroom interaction, legal argumentation, speech acts, and implicatures, these pragmatic concepts have frequently been investigated separately or in interactive courtroom settings, such as lawyer-witness examinations. Similarly, research on opening statements (e.g., Blewitt & Duffy, 2026) has examined their argumentative, narrative, and dialogic characteristics, but comparatively limited attention has been given to the instantaneous operation of speech acts and implicatures strategies within

opening statements of a contemporary, high-profile criminal trial. The present study addresses this gap by bringing these two pragmatic dimensions together within a single forensic-pragmatic analysis.

Accordingly, the study is entirely concerned with two interrelated pragmatic strategies: speech acts and implicatures. By using the speech act theory (Austin, 1962; Searle, 1969) and the theory of conversational implicatures (Grice, 1975), the study perceives the two approaches in terms of communicative acts, whereby the attorneys put forward propositions, make accusations and denials, evaluate situations, make predictions, and orient the attention of the jury. The two theoretical approaches are analytically complementary; whereas speech acts explain what attorneys achieve through their opening statements, implicatures demonstrate the unsaid beyond the surface semantic proposition of courtroom arguments.

1.1. Research Questions

The study raises two research questions:

1. What are the types of speech acts employed in the opening statements in Trump's trial, and what are the communicative functions they perform?
2. What are the implicatures generated in the two opening statements, and how do they contribute to the construction of competing interpretations?
3. To what extent do prosecution and defense attorneys employ speech acts and implicatures to construct divergent legal meanings?

The answer to these research questions comprises the objectives of this paper: to identify and analyze the speech acts and implicatures employed in the opening statements in Trump's trial and to demonstrate how speech acts and implicatures contribute to the construction of legal meanings in the two opening statements.

2. Literature Review

Forensic linguistics is concerned with the interaction between language and law, which includes courtroom discourse, police interviews, legal language, testimony, and other legally mediated discourse practices (Gibbons, 2003; Coulthard et al., 2017). In forensic linguistics, forensic pragmatics can be said to concern more specifically the production and interpretation of meaning in the legally related situations (Aljanabi & Jabir, 2024). The need for the theory of forensic pragmatics stems from the fact that there is a lot more to courtroom discourse beyond the denotation of language because individuals use language to act, convey meanings indirectly, and regulate their relationships in institutional settings (Griffin, 2026). Speech act theory (Austin, 1962; Searle, 1969) provides a basis for analyzing speech acts like asserting, accusing, denying, directing, and evaluating, whereas Grice's (1975) implicature theory takes into account how people convey meanings beyond explicitness. Impersonal pragmatics explains how people negotiate face, disagreement, solidarity, and conflict through the use of politeness and impoliteness in courtroom discourse contexts (Brown & Levinson, 1987; Culpeper, 2011). Therefore, forensic pragmatics is considered an appropriate approach through which to analyze language used in courtrooms that simultaneously serves as action, inference, and interpersonal behavior. The analysis of opening statements in particular would prove highly fruitful from such a theoretical perspective because of attorneys' attempts to impose particular interpretations.

The discourse of the courtroom represents an institutionally highly structured mode of communication mediated by the procedural aspects, role-related practices, differential rights of participation, and adversarial nature of this communication setting (Heffer, 2005). The attorneys, judges, witnesses, defendants, and jurors hold different communicative positions in the courtroom, which means that the use and choice of language are strongly related to the institution and purposes of the legal process (Chaemsaithong, 2014). Numerous studies have identified the importance of pragmatic elements in courtroom discourse. The study of pragmatic analysis provides an effective method of understanding the ways that courtroom participants strategically utilize language to overcome the hostile atmosphere that permeates legal proceedings. Archer (2011), for example, investigates the role of face management in navigating the antagonistic atmosphere through the use of strategic cross-examination and describes how attorneys perform facework through dealing with the adversarial nature of cross-examination. Kryk-Kastovsky (2006) also shows how the notion of impoliteness functions not only explicitly but also implicitly as means of showing institutional power and argues that the impolite language in

the courtroom discourse can function explicitly and implicitly. Furthermore, Wright et al. (2022) show how even the apparently superficial politeness indicators such as respect function pragmatically as conflict management and the reinforcement of professional power and reveal how attorneys use polite language such as 'respect' to manage conflict and assert their professional identity. These studies collectively demonstrate the role of pragmatics in exposing the dual-sidedness of discourse in courtrooms where both politeness and impoliteness are used strategically for negotiating power and credibility. From this context, the language of the courtroom should not only be analyzed in terms of propositional content but also in terms of communicative actions, inferences, and interpersonal positioning. Importantly, there are several types of courtroom discourse, such as the opening statements, examinations, cross-examinations, and closing statements, each of which has specific communicative purposes and linguistic features (Chen, 2021; Prihantoro & Gillings, 2025).

Opening statements are crucial in the context of courtroom discourse because they provide a way for the interpreter to build a discursive frame that is used to understand future evidence (Blewitt & Duffy, 2026; Yang & Wang, 2024). Contrary to cross-examinations, opening statements are usually monologic, as they give the opportunity to attorneys to tell their side of the story, predict what kind of evidence may come out, name significant parties in court, and set some expectations about the case (Zhang, 2025). Previous studies suggest that opening statements are linguistically and pragmatically complicated. Chaemsaithong (2017b) showed that in courtroom opening statements the use of reported speech allows the attorney to introduce other voices, create evidence, and create alignment or disalignment from the reported speakers. In another study, Chaemsaithong (2017a) demonstrated that evaluative stance, which includes hedges, boosters, attitude markers, and self-reference, is an important linguistic resource for opening statements. Chaemsaithong (2017a, 2017b) highlighted the use of linguistic resources by attorneys in opening statements to persuade jurors and frame particular discourses. With the employment of reported speech, attorneys use their resourcefulness to include other voices to create evidential force, along with positioning themselves in terms of agreement or disagreement with important people in the proceedings. Also, with the use of stancetaking features such as hedges, boosters, attitude indicators, and self-referencing, attorneys create their authority and positions. Similarly, Supardi (2016) argued that rhetorical devices, such as repetition, metaphor, and rhetorical questions, are important for achieving persuasion in courtroom opening statements. Corpus analysis further showed that opening statements are a special sub-genre of courtroom discourse (Chen, 2021). While such studies confirmed the persuasive and pragmatic aspects of the genre, they also highlighted the necessity of closer analysis of how attorneys conduct actions, produce implications, and handle relationships during opening statements.

Furthermore, some studies have analyzed individual pragmatic aspects of courtroom discourse; however, there are not many studies that combine all of those in one study of courtroom opening statements. While Archer (2011) analyzed facework in adversarial courtroom discourse, thus showing the significance of interpersonal management in attorneys' discourse, Kryk-Kastovsky (2006) described explicit and implicit courtroom impoliteness and the relationship between face threats and institutional power. Kryk-Kastovsky's (2006) study highlighted the duality of politeness in courtroom settings as being explicit and implicit and describes linguistic aggression as a product of institutional power dynamics. In such a context, face-work does not amount to a random act; on the contrary, it is an intentional strategy used by powerful legal figures to influence others' attitudes through face-work. In the same vein, Wright et al. (2022) emphasized that attorneys skillfully handle disagreements with the help of pragmatic means that serve both for the maintenance of professional courtesy and an adversarial stance. As for the opening statements, Chaemsaithong (2017b) highlighted the importance of reported speech and stance, whereas Supardi (2016) described the persuasive nature of rhetorical means that dominate courtroom discourse. These studies provide valuable foundations for investigating courtroom pragmatics; however, they generally examine individual linguistic or pragmatic phenomena, particular courtroom genres, or specific interactional contexts. Consequently, limited attention has been given to the interaction of speech acts and implicatures in opening statements. The present study builds on this literature by treating these two strategies as complementary dimensions of forensic-pragmatic analysis.

The linguistic analysis of Trump has centered around his political rhetoric that comprises metaphor, stance, aggression, and persuasion (Sifton, 2020; Hajer, 2021). Some recent studies have tried to explore his legal rhetoric, and thus the current study is quite relevant. For instance, Aldosari (2026) analyses the linguistic construction of Trump's trial in courtroom discourse as well as media discourse and explores differences in the

lexicalization, agency, and modality of the two discourses. Likewise, Hassan and Sahib (2026) analyze (im) politeness in presidential trials, which include those of Trump. However, they do not provide an integrated forensic-pragmatic analysis of the opening statements in the New York hush-money trial that are based on speech acts and implicatures. This study, therefore, addresses a clearly defined research gap by examining how these two strategies operate together in the prosecution and defense opening statements. Rather than analyzing Trump's political rhetoric or treating the trial through a broad critical framework, this study focuses on the linguistic practices through which courtroom attorneys perform communicative actions, generate inferential meanings, and manage interpersonal relations in constructing competing legal discourses.

3. Theoretical Framework

The theoretical framework underlying this study is forensic pragmatics since the main idea of this concept is the way meaning can be constructed and interpreted through legally contextualized communication. Thus, as described by Francisco and De Roxas (2026), forensic linguistics studies language in terms of the legal procedure, while a pragmatic approach analyzes the connection between linguistic form, intention of communication, context of interpretation, and interpersonal relations. This aspect becomes especially important in the analysis of the discourse of court since attorneys' utterances are institutional acts, carry implicit meanings and create relationships with judges, jurors, witnesses and opposing parties (Sogunro et al., 2024). While Coulthard et al. (2017) state that language is one of the crucial parts of legal evidence and practice, Gibbons (2003) highlights the necessity of the investigation of linguistic choices in relation to institutional goals of the justice system. For this reason, this study defines forensic pragmatics not as a specific system of linguistics, but as the pragmatic theory applied to legal communication. This framework is appropriate for opening statements because it allows for the shift from an investigation into "what is said?" to two interrelated questions: "what is the unsaid?" and "how do attorneys handle interpersonal relations through language?"

The first approach for analysis is speech act theory, introduced by Austin (1962) and further developed by Searle (1969). The fundamental premise of speech act theory is that utterances are not only descriptions of the state of affairs but also actions. Austin introduces such notions as "locutionary act," "illocutionary act," and "perlocutionary act" and argues that saying something is performing an action. Searle classifies illocutionary acts into five categories: assertive acts, directive acts, commissive acts, expressive acts, and declarative acts. Speech act theory seems to be very helpful for analyzing courtroom opening statements since attorneys perform all these actions using linguistic constructions. Thus, assertions can introduce propositions as facts; accusations can assign responsibility; directives can direct jurors' attention to specific facts; evaluations can describe people or events; and predictions can set expectations for upcoming evidence. Furthermore, in legal pragmatics, rhetorical questions and the imperatives are both illocutionary acts that go beyond their simple grammatical function. The rhetorical question is used pragmatically as an indirect assertive by the use of the grammatical form of a question to make a forceful, unanswerable statement, challenge the integrity of witnesses, or imply guilt without making any statement at all. On the other hand, the imperative is used as a directive, telling or guiding the jury or judge to adopt a certain point of view. Therefore, this study is concerned with the investigation of the concept of illocutionary force and analyzes the role that various speech acts play in constructing the prosecutor and the defendant's position. Instead of just counting the types of speech acts, the analysis looks at their contextual and forensic functions, including claim-making, attribution, attention-directing, credibility-constructing, and interpretation.

The second analytical approach is Grice's notion of implicature (Grice, 1975). The distinction made by Grice in terms of saying something and being entitled to infer something in conversation is of importance in understanding how speakers produce extra meaning by following or deviating from the conventions of conversation. According to Faizullah et al. (2025), implicature is applicable to discourse analysis of courtroom speech because attorneys are able to avoid direct expression of potentially offensive evaluation or accusation of something but at the same time encourage jurors to draw such implications from their speech. For example, the attorney can use a presentation of the witness's background information, previous utterances, or contradictions to encourage jurors to conclude that he or she cannot be trusted. Implicature techniques play a special role in confrontational discourse analysis since they help speakers build their own interpretation of what is said while pretending to be evidence-appropriate. It is for this reason that the current study makes a distinction

between explicit propositions and contextually derived meanings and looks into the ways in which implicatures play a part in building alternative narratives in the opening statements. In doing so, relevant cases of maxim observance, alleged flouting, and context-based inference will be looked at rather than just accepting all indirect meanings as implicatures. This is how the second research question is directly tackled in the study.

These two analytical approaches are analytically complementary. Speech act theory describes what attorneys do by using language, while implicature theory describes what they say beyond the explicit meaning. This integrated model is appropriate for opening statements because a single utterance may simultaneously perform an action, generate an inference, and affect the face of another participant. For example, an assertion concerning a witness may function as an evidential claim (speech acts) and implicitly question the witness's credibility (implicatures). This integrated approach would be well-suited for use within opening statements, where one utterance is performing at various pragmatic levels, such as acting, inferencing, and affecting face work of the participant. For example, a simple statement of facts could serve as an indirect challenge to the veracity of a witness, thus exemplifying how counsels effortlessly combine overt speech acts with covert moves for effect.

3. Methodology

3.1. Research Design

This study uses a qualitative forensic-pragmatic research design that focuses on the linguistic methods used in the opening statements made by both the prosecution, represented by Mr. Matthew Colangelo, and the defense, represented by Mr. Todd Blanche, in the New York hush money trial of Donald Trump in 2024. The analysis is conducted in relation to an approach that integrates the speech act theory (Austin, 1962; Searle, 1969) and the theory of conversational implicature (Grice, 1975). A qualitative approach is employed because it is not only necessary to quantify how frequently such linguistic items occur but also to interpret their meanings and forensic significance in opening statements.

3.2. Data Collection, Description, and Rationale

The data comprise the opening statements delivered by the prosecution and the defense at the beginning of the New York criminal trial of Donald Trump in 2024 concerning the alleged falsification of business records associated with payments to Stormy Daniels. The corpus includes only opening statements by the attorneys, excluding witness statements, cross-examination, judicial interjections, closing statements, press coverage, and political speeches by Donald Trump (see Appendix A). This boundary guarantees that the analysis is limited to the same type of discourse and the same stage of adversarial presentation. The transcript was transformed into a searchable textual corpus maintaining the sequence of the statements. Opening statements of the prosecution and defense are perceived as two distinct sub-corpora since they embody opposite institutional standpoints and different interpretations of the trial.

The selection of the corpus for analysis was based on the principle of purposeful sampling, as the opening statements are an appropriate genre of text for a study on forensic-pragmatics. Contrary to the process of witness examination involving question-answer exchange, opening statements allow an attorney to introduce a systematic version of events directly to the jury without an evidentiary record. It has been established that there are certain linguistic and pragmatic features inherent in opening statements (Chaemsaithong, 2017a, 2017b; Chen, 2021). The Trump trial is selected because it is a well-known example of a crime, where interpretations of the events are offered by the prosecution and defense sides. Therefore, it can be considered an appropriate sample for studying how two opposite sides use pragmatic techniques to create two conflicting discourses.

3.3. Analytical Procedures

The analysis follows three interrelated phases. First, the opening statements are analyzed with respect to speech acts as described by Austin (1962) and Searle (1969), particularly with regard to assertive and directive speech acts and their forensic-pragmatic functions. Second, implicatures are determined following Grice's (1975) model, in which utterances, whose meanings go beyond their literal meanings, are investigated, particularly those in which there is a strategic observation or transgression of the conversational maxims and inferences. Third, the pertinent excerpts are classified under these two classifications and analyzed based on their immediate linguistic

context and legal context. Finally, the opening statements from both prosecution and defense are compared to show similarities and differences in their use and pragmatic function.

4. Analysis and Results

4.1. Forensic-Pragmatic Functions of Speech Acts in the opening Statements of Trump's Trial

Speech act theory provides the first analytical dimension of the opening statements. This section presents two speech-act types: assertives and directives.

4.1.1. Assertive Speech Acts

Assertives play an important part in courtroom debate since they commit the speaker to the truth of a proposition (Searle, 1969). A particularly forceful example occurs when Matthew Colangelo, the prosecution representative, states:

> It was election fraud. Pure and simple. We will never know, and it doesn't matter, if this conspiracy was the difference-maker in a close election, but you will see evidence in the defendant's own words from his social media posts, from his speeches at campaign rallies and other events, you will see in his own words, making crystal clear that he was certainly concerned about how all of this could hurt his standing with voters and with female voters in particular.

In the above excerpt, the prosecutor has skillfully used different illocutionary forces in order to turn evidentiary arguments into an absolute moral and legal argument, as he employs declarative utterances with assertive illocutionary force, through which he presents claims and interpretations as factual and certain. The opening utterance "it was election fraud" is a definite assertion and clearly states the allegation in no uncertain terms. The phrase "pure and simple" enhances the definiteness of this assertion by making it unqualified. Here, the two utterances contain the assertive force of speech act and is used pragmatically as an assertion that cannot be questioned even before evidence is provided. The syntactic simplicity of the utterance increases its rhetorical force: rather than presenting the proposition through a hedge, such as the evidence may suggest election fraud, the prosecutor employs a categorical declarative construction. The past-tense copula "was" also presents the characterization as an established description of the previously discussed conduct. From a speech-act perspective, the utterance functions primarily as an assertive, committing the prosecutor to the proposition that the conduct constituted election fraud. In forensic-pragmatic terms, the prosecutor attempts to move the jury from an interpretation of the events as ordinary political or public-relations activity towards an interpretation as criminal conduct. The assertive, thus, performs an important argumentative function by establishing the prosecution's preferred categorization of the events.

In the same vein, while the expression "we will never know" makes a statement about the limitation of what we shall know in the future, the expression "it doesn't matter" states the irrelevance of the result of the conspiracy to the argument of the speaker. Both the expression "you will see evidence in the defendant's own words" and "making crystal clear" communicate an illocutionary force of a commissive type and are used as an assertion of evidence, together with the epistemic booster "certainly", further strengthens the speaker's commitment to the claim that the defendant was concerned about the electoral consequences. There is a very strong implicit directive in these two illocutions because when the prosecutor emphasizes the defendant's own fear concerning "how all of this could hurt his standing with voters," he directs the jury to interpret the information in the words of the defendant himself. The second-person pronoun "you" additionally positions the audience as an anticipated witness to the evidence, thereby creating the impression that the speaker and audience will share access to the same supposedly self-evident evidential basis. In this respect, the assertive declaratives perform a significant persuasive function: they establish propositions, strengthen epistemic commitment, direct the audience's interpretation of forthcoming evidence, and construct an apparently coherent causal and psychological narrative. Thus, the excerpt above provides an example of how declarative structures may take on a strong assertive illocutionary function. Such an illocutionary force allows one to make allegations and interpretations sound like factual assertions while at the same time bolstering epistemic certainty, evidentiality, and persuasive power and leading the audience to a particular interpretation of the evidence.

The defense uses the opposite, yet similar, assertive approach. The opening statement of Todd Blanche, the defense representative, starts with:

> President Trump is innocent. President Trump did not commit any crimes. The people, the government, they have the burden of proof to prove President Trump guilty beyond a reasonable doubt. You will find that he is not guilty.

In the above excerpt, the defense opening contains several complementary illocutionary acts which help to create a protective legal screen around the defendant in an attempt to influence the decision-making process of the jury members. The defense representative uses declarative speech acts that have assertive illocutionary force to communicate the innocence of the defendant as a defendable proposition. The first statement, "President Trump is innocent," is a categorical assertive since it states innocence as a known fact, while "President Trump did not commit any crimes" supports this position through an equally unambiguous negative assertion that there was no crime committed. The choice of the lexeme "president" in "President Trump" instead of just "Trump" is important in that the noun phrase both identifies the referent and emphasizes his former institutional position. The adjective "innocent" is the main evaluative predicate and is used to formulate the main proposition of the defense. Also, the repetition of the expression "President Trump" draws attention to the defendant as the central theme of assertions, and the statement "the people, the government, they have the burden of proof to prove President Trump guilty beyond a reasonable doubt" changes from declaring the accused's innocence to declaring an important legal principle.

Crucially, with the help of the declarative structure, the defense attorney attempts to communicate that the prosecution has the evidential burden of proof, indirectly undermining any notion that the accused has to prove his innocence. It should be noted that the statement "you will find that he is not guilty" is very significant, as it makes use of an assertion and a prediction of the audience's future conclusion. As per the taxonomy of speech acts developed by Searle, assertive speech acts are used for the representation of a state of affairs as a fact. In the present case, the lawyer uses unmitigated declarative statements "President Trump is innocent" and "President Trump did not commit any crimes" where there is no possibility of leaving room for probability or ambiguity. Pragmatically speaking, it is the avoidance of subjective declarations like "We believe he is innocent" and opting for factual assertions which help in conveying maximum epistemic certainty. This imposes a duty on the speaker in relation to the truth of the claims, presenting the innocence of the defendant not as something to prove, but as an objective fact independent of the prosecution's accusations.

Similar to the prosecution representative, the defense attorney employs the second-person pronoun "you" to appeal directly to the audience and make them see themselves as the ones reaching the predicted conclusion. Furthermore, the use of the negatives "did not" and "not guilty" is also significant, as it directly shifts the pragmatic wheel of the crime towards denial. These statements serve a pragmatic purpose, as they make claims to innocence, highlight the burden of proof placed on the prosecution, and steer the listeners to a certain verdict. The clear-cut nature of the statements is such that it makes the defense discourse persuasive and authoritative. Also, the contrast between "election fraud" and "innocent" demonstrates the argumentative role of assertives used in opening statements. Assertive speech acts, therefore, constitute a principal mechanism through which the prosecution and defense establish competing legal realities.

4.1.2. Directive Speech Acts

Rather than functioning as conventional commands, however, courtroom directives frequently operate as persuasive instructions concerning how evidence should subsequently be processed. At the conclusion of the prosecution's opening, Colangelo tells the jurors:

> Focus on the facts. Focus on the logical inferences that follow from those facts. Focus on the evidence. Listen to the testimony. Read the documents, the emails, the text messages, the bank statements, the handwritten notes, all of it.

The above excerpt contains a series of imperative utterances that perform a directive illocutionary function. The

use of the imperatives in "focus on the facts," "focus on the logical inferences," "focus on the evidence," and "listen to the testimony" directs the listener to follow a specific approach in assessing the case. The repetition of the phrase "focus on" makes the statement parallel and emphasizes the effort made by the speaker to shift the attention of the audience from unrelated matters to factual and evidential information. Another imperative that follows a similar approach is "read the documents," which is followed by "the emails, the text messages, the bank statements, the handwritten notes." Significantly, Imperatives within courtroom discourse have directive illocutionary force whose purpose is to change the mind of the interlocutor instead of giving orders. Legal speakers do not have the institutional power to give an order to the jury and judge, hence surface imperatives have a pragmatic meaning of cognitive directives that tell the jurors how to think about evidence and the emerging narrative.

In the last statement, "all of it," the imperative becomes stronger, as it draws attention to the totality of the evidence to be considered by the audience. Although these statements do not make any assertion like the declarative statements, they serve the purpose of reinforcing the speaker's argumentative position through evidence and logic. Thus, it suggests how directive speech acts can complement assertive discourse by shaping not only what the audience should consider but also how the audience should evaluate the evidence. Pragmatically, directive utterances perform two functions: first, they guide the jury to engage in a certain epistemic act: analyzing the case on the basis of truthful information; and second, they implicitly distinguish factual reasoning from other bases of interpretation. The prosecution, therefore, defines its position as being on the side of reasoned investigation against distractions from it.

In the same vein, the defense uses directives in an attempt to make jurors reconsider the prosecution's interpretation. Blanche's rhetorical questioning, for example, asks:

> Ask yourself: Would a frugal businessman, would a man who pinches pennies repay $ 130,000 debt to the tune of $420,000?...Listen, the ledger is just a fancy way of describing how folks at Trump Tower, employees that work for President Trump kept track of the money that came in and the money that went out.

In the above excerpt, there is a combination of directive language and rhetorical questions that lead the audience to a specific understanding of the financial data presented. The directives are manifested in the command "ask," which is meant to encourage personal assessment by the audience and directly instructs jurors to undertake an internal evaluative process. Unlike an ordinary command, this directive provokes self-reflection, allowing the attorney to present his desired conclusion as something the jurors can independently discover. This strategy is thus convincing since it minimizes the perception that the speaker is coming to a conclusion yet guides the jury through a specific line of thought. This directive is immediately followed by the rhetorical question "would a frugal businessman, would a man who pinches pennies repay $130,000 debt to the tune of $420,000?" whose expected answer is implicitly negative. The repetition of the modal operator "would" in "would a frugal businessman" and "would a man who pinches pennies" emphasizes the contrast between the defendant's constructed image of frugality and the unusually large repayment. The directive, therefore, stimulates the audience to make an inference that supports the defense's argument. Similarly, the subsequent imperative "listen" in "listen, the ledger is nothing but a sophisticated form of description" shifts the audience's attention towards the explanation of the financial evidence and comprises an explanation of the complicated financial concept, the latter simplifying the financial documentation for the audience. The explanation "the money that came in and the money that went out" makes the financial documentation even less complicated. Here, the directive imperative "ask yourself" and "listen" have a persuasive role, as they help manage the attention of the audience, direct their thinking, and make sense of the complicated financial documentation. The defense attorney uses directives to direct the jury to the desired conclusions.

Table1. Speech acts in the opening statements in Trump's trial

Type of speech acts	Speaker	Linguistic manifestation	Forensic-pragmatic function
Assertive	Prosecution	Categorical declarative	Presents the prosecution's interpretation as an established proposition
Assertive	Defense	Declarative and evaluative predicate	Establishes innocence as the central defense proposition
Directive	Prosecution	Imperative constructions	Directs jurors towards evidence-based evaluation
Directive	Defense	Imperative constructions	Establishes jurors to perform an independent evaluative process

Table 1 shows that there is a distinction between the speech acts in the prosecution and defense discourse. In both cases, the use of assertives is meant to construct conflicting realities. While the prosecution applies categorical declarations as means of asserting the factual nature of their reality, the defense applies declarative and evaluative utterances with an emphasis on the innocence of the accused. The pragmatic functions of the directives differ as the prosecution focuses on directing the jurors to make an evidence-based assessment, while the defense directs them to reason independently.

4.2. Forensic-pragmatic Functions of Implicatures in the Opening Statements of Trump's Trial

The second analytic dimension is that of implicatures, which is defined as the meaning that is expressed or implied other than the literal semantic meaning of the utterance (Grice, 1975).

4.2.1. Implicating the Existence of a Coordinated Criminal Scheme

Matthew Colangelo, presenting the prosecution's case, states:

This case is about a criminal conspiracy and a cover-up. The defendant, Donald Trump, orchestrated a criminal scheme to corrupt the 2016 presidential election. Then he covered up that criminal conspiracy by lying in his New York business records over and over and over again.

At the conceptual level of meaning, the prosecutor makes clear that this is a case dealing with a "criminal conspiracy", "criminal scheme", and later on a "cover-up". However, the same expressions associatively communicate further meanings through the choice of words and the context provided by the speaker. The frequent employment of the adjective "criminal" and the use of the verbs "orchestrated" and "covered up" imply that the alleged actions were planned, coordinated, and prolonged rather than incidental. From a Gricean viewpoint, the prosecutor conveys much more evaluative meaning than what would have been sufficient just for naming the business-record offences that are at the core of the lawsuit. The repetition in "over and over and over again" is indicative, as it does not convey just the falsification of the business records; it conveys the systematic nature of such falsifications. What is inferred here is that the behavior was part of an organized action and not just some form of administrative misconduct. Another implicature indicated by the term "orchestrated a criminal scheme" is the one of agency; that is, the term "orchestrated" usually suggests coordinated actions, which will enable the jury to draw an inference that Trump was more of a central figure. On the forensic-pragmatic level, the prosecution constructs its own implicatures by breaking the maxims of quantity and manner. First, the excessive amount of information provided by the prosecution beyond the basic amount required to establish the elements of the business-record charge through the repeated use of "over and over and over again" breaks the maxim of quantity and requires the jury to draw an implicature of a systemic and intentional fraud. Second, the choice of specific terms such as "orchestrated a criminal scheme" is related to the maxim of manner and requires the jury to infer that Trump was a mastermind of a scheme rather than a passive participant of it. Thus, on the pragmatic level, the prosecution makes subtle references to certain aspects of the case without making unnecessary legal moves. Thus, what can be observed here is the usage of contextually reinforced implicatures; that is, the inference supports the prosecution's case prior to presenting any single pieces of evidence. The statement may, therefore, be understood as an example of implicatures, where there is contextual support for the implication drawn from the selection and repetition of certain words that carry more intention and collaboration than just claiming that records have been falsified.

4.2.2. Implicating the Criminal Significance of the Payment

The defense presents an alternative interpretation when Todd Blanche says:

There's nothing wrong with trying to influence an election. It's called democracy. And you know what? There's nothing wrong with trying to influence an election. There's nothing wrong with trying to influence an election.

In the above excerpt, the literal meaning is comparatively simple: trying to influence an election does not constitute a crime by its very nature. But the constant restatement results in a more general forensic-pragmatic effect. By constant restatement, Blanche suggests to the jury that the prosecution is trying to criminalize a regular political act. The expression "it's called democracy" is significant both conceptually and associatively. While it conceptually characterizes election influence, it associatively suggests that the interpretation offered by the defense is connected with a socially legitimate democratic act. Consequently, the implicature is not only that election influence is a legitimate act but that the characterization of Trump's activities offered by the prosecution might be an extension of the political act into the criminal sphere. The repeated assertion of "there's nothing wrong" also constructs a counterargument that establishes a comparison between affecting an election and committing a crime. The defense thus covertly steers the focus of the jury from whether there was a payment to whether the payment can be deemed a crime when viewed in the context of affecting the election. The assertion is pragmatically important from a Gricean perspective, as it goes beyond the normal need to convey the proposition once. This excess of information, thus, takes on rhetorical importance, as repetition magnifies the implication of the proposition. In this case, the defense achieves conversational implicature by violating the maxim of quantity, particularly the sub-maxim of not being more informative than required (Grice, 1975). In re-stating the statement and adding unnecessary information, attorneys are making sure that there is too much information offered, which goes beyond the necessary provision needed for propositional information. It is clear that such over-provision sends a message to the jury that the information has a special communicative purpose behind it. At the same time, such move violates the maxim of manner since conciseness is not considered here. This allows for the inference of hidden concepts, allowing the jury to consider a different approach to interpreting the concept of legal political versus illegal electoral influence. The defense, therefore, makes use of implicatures to create a conceptual separation between lawful political influence and criminal electoral manipulation.

4.2.3. Implicating Witness Unreliability

A significant implicatures involves the mention of Michael Cohen by Blanche. Cohen is Trump's former attorney whose testimony led to the conviction of Trump for a felony.

He (Michael Cohen) is an admitted liar. He is a convicted felon. He has lied under oath. He has lied to Congress. He has lied to the federal government. He has lied to the public. He has lied to you. And he has lied to President Trump.

There are specific claims made by the defense concerning Cohen's past. However, the key pragmatic result here is not only making sure that the jury knows those facts. The fact that there are many references to "liar," "convicted felon," and different variations of "has lied" makes it possible to draw another conclusion: the testimony of Cohen cannot be considered trustworthy and enough for proving that Trump is guilty. The defense does not need to state the complete proposition as 'you should reject everything Cohen says'; however, his repetitive expressions communicating Cohen's prevarication direct the jury to such an intended interpretation. From a forensic-pragmatic approach, repetition of some particular words may turn into an effective means of generating conversational implicatures concerning the unreliability of a witness. Through the repetition of certain phrases, such as witness's claims, his or her hesitation, as well as any other claim aimed at his or her own benefit, an attorney commits an intentional violation of the Gricean maxim of quantity, which provides a possibility for a juror to infer some particular meanings. It means that, instead of saying that a witness is guilty of something; an attorney draws attention to the particular phrase in order to render it as unreliable or inconsistent. Such an implicated meaning conveys that giving explicit instructions to ignore a certain witness may look too argumentative, while providing the facts makes it possible to reach a desired conclusion. The repeated use of "has lied" has a further collective pragmatic impact. This pattern continues in each successive example that strengthens the characterization in the previous example, thereby establishing an identity for Cohen as one whose testimony must always be met with suspicion. The move from "admitted liar" to "convicted felon" to

particular situations, where he is believed to have been lying, represents a chain of evidence meant to cast doubt on Cohen's epistemic credentials. From a forensic-pragmatic perspective, this implicature is significant, as the credibility of the witness plays a key role in the analysis of the evidence presented in court.

Table 2. Implicatures in the opening statements in Trump's trial

Implicature	Speaker	Linguistic trigger	Pragmatically encouraged inference
Criminal coordination	Prosecution	Criminal, conspiracy, orchestrated, cover-up	Trump deliberately coordinated an organized criminal enterprise
Systematic wrongdoing	Prosecution	Repetition	The alleged falsification was persistent and systematic rather than accidental
Legitimate political activity	Defense	Repetition and evaluative formulation	The prosecution is treating ordinary democratic activity as criminal
Witness unreliability	Defense	Accumulation and lexical repetition	Cohen is fundamentally unreliable and his testimony should be viewed skeptically

Table 2 demonstrates how implicatures is strategically constructed by the prosecution and the defense to influence interpretation going beyond the surface semantic propositions of the words used. The prosecution uses highly charged lexicalization, along with repetition to convey the message that the conduct was planned, organized, and systematic. On the other hand, the defense uses repetition, evaluation, and accumulation to convey that the prosecution is trying to criminalize the political activity and that Cohen's testimony is basically unreliable. Implicatures, thus, operate as an effective forensic-pragmatic strategy that enables the prosecution and the defense to guide the jury to draw particular conclusions that are pragmatically stimulated by lexical choices, repetition, and contextual framing.

5. Discussion

The analysis of the selected data suggests that the opening statements in Donald Trump's New York hush-money trial constitute a highly strategic form of forensic-pragmatic discourse, in which linguistic choices perform multiple argumentative and interpersonal functions. From a pragmatic perspective, both the prosecution and the defense representatives strategically employ language manipulation to influence juror perception and create rival courtroom discourses. Both the prosecution and the defense turn legal discourse into strategic pragmatics, wherein they skillfully use speech acts and implicatures to convert ordinary legal arguments into effective pragmatic approaches that can help shape the jury's final decision. At the two analytical dimensions adopted in the study, the prosecution and the defense do not only provide information related to the trial but also engage in creating different interpretations of what happened and lead the jury in making certain inferences by using language. This makes the analysis reconcile with the basic principle of forensic pragmatics that meaning in legal contexts emerges due to the interplay of linguistic form, communicative intentions, inference-making, and institutional goals. This finding is consistent with previous research on how complex the pragmatics of legal discourse in courtrooms can be and on how the opening statements are an argumentative genre of legal discourse despite their monologic structure (Purnama, 2023). Similarly, Chaemsaithong (2017b) shows that reported speech in opening statements serves as a narrative, evidential, misaligning, contextualizing, and discourse-organizing resource, which makes it possible for attorneys to construct and negotiate competing realities. Also, Chaemsaithong (2017a) argues that evaluative stance is a crucial component of both prosecutorial and defensive opening statements. The findings revealed in this study take this line of research further by showing how the argumentative construction is realized using the combination of speech acts and implicatures. This means that speech acts and implicatures in this study are complementary. That is, instead of only being separate linguistic means, the two approaches allow the attorney to create ideas and promote certain interpretations that, in turn, may influence their interaction with the jury and other parties in the courtroom.

The analysis of speech acts indicates that assertives play a key role as the main pragmatic strategy that both sides use to create their conflicting representations of the trial. Assertions from the prosecution on issues such as "criminal conspiracy," "cover-up," and election-related crime are in direct opposition to the assertions made by the defense that Trump is innocent and there was no criminal act. Directives serve similar purposes in that they are used to influence how the jury interprets things, and thus they are not response-seekers

but influence further forensic-pragmatic interpretations. These findings are consistent with Chaemsaithong's (2017a, 2017b) results, which reveal the nature of opening statements as argumentative and that the use of specific linguistic forms by attorneys functions to construct realities and communicate evaluations. Significantly, the assumption of this study that assertive and directive speech acts construct competing realities in the opening statements in Trump's trial correlates with Chaemsaithong's arguments that attorneys always negotiate different constructions of reality through the use of reported voices. As such, this study augments Chaemsaithong's (2017b) argument by highlighting the illocutionary force of assertive and directive speech acts as forensic-pragmatic strategies that shift the interpretative wheel of legal arguments towards specific forensic meanings. In light of Chaemsaithong's (2017b) claim that attorneys constantly engage in the negotiation of conflicting realities by means of the strategic use of reported speeches, the present study further enriches knowledge about legal discourse by investigating the role played by the specific purpose of selected illocutionary forces. Namely, it illustrates how assertive speech acts (which establish claims as irrefutable facts) and directive speech acts (that guide the court towards certain lines of interpretation) are effective tools for forensic-pragmatic use. By utilizing these speech acts along with reported speech, the attorneys do not just tell the story; rather, they attempt to turn the wheel of interpretation, making jurors accept certain interpretations of the trial. Consequently, the findings in this study suggest further support to the forensic-linguistic assumption that courtroom discourse should be studied not only from a grammatical and lexical perspective but also in terms of the intended meaning of the speakers. The opening statements, therefore, show how speech acts operate as the basic building blocks of argumentation through which the prosecution and defense present their interpretation to the jury.

The findings concerning the use of implicatures in Trump's trial indicate that both prosecution and defense representatives manage to communicate meanings that go beyond their formulated semantic propositions. The prosecution's use of expressions revolving around the existence of criminal conspiracy, orchestrated schemes, and constant falsification allows making assumptions about intentionality, coordination, constancy, and responsibility. The defense, on the other hand, focuses on the innocence of the accused, the falseness of the accusations made, and the habit of lying of Michael Cohen, which in turn implicates assumptions about the unreliability of the witnesses and the non-criminal nature of the behavior of the defendant. The strategic choice of these lexical elements depends entirely on conversational implicatures and enables both sides to communicate negative or positive assessments without explicitly communicating them as unproved facts. The use of expressions such as "orchestrated schemes" and "continuous falsifications" by the prosecution evokes the implicature that the defendant acted under the criminal state of mind and systematic intent as opposed to isolated accidents. On the other hand, the defense uses statements about the "tendency to lie of the witnesses" to imply pragmatically that any evidence presented by witnesses is tainted with doubt, which makes the jury infer reasonable doubt without having to disprove each of the claims. Also, it is analytically clarified that persuasion during the opening statements is not based only on explicit arguments (Samuel, 2024). Attorneys may ask the jury to build up conclusions by themselves through carefully choosing lexical units, repeating propositions, putting pieces of information side-by-side, and holding back from a clear-cut final conclusion. These findings correlate with Kryk-Kastovsky's (2006) argument that courtroom discourse includes both explicit and implicit pragmatic meanings that have to be inferred rather than explicitly stated. This study's finding that both the prosecution and defense attorneys generate competing realities through inducing jurors to make context-based inferences also reconcile with Chaemsaithong's (2017b) contention that attorneys use reported speech to generate and negotiate different meanings. However, this study goes further to focus on implicature as a key concept in the analysis of opening statements, as it illustrates the role of inferential meaning in the construction of criminality, innocence, credibility, and evidence interpretation.

Furthermore, the findings suggest that speech acts and implicatures in the opening statements of Trump's trial are two interrelated pragmatic strategies in constructing conflicting courtroom arguments. The speech acts set what one or the other side wishes for the jurors to accept or consider, and implicatures make jurors extract extra meanings from those claims. As such, the findings coincide with the existing studies of courtroom discourse and opening statements, including the works of Chaemsaithong (2017a), who argues that opening statements are argumentative and evaluative in nature based on pragmatic motivation, an argument that is also reinforced by Archer (2011), Kryk-Kastovsky (2006), and Wright et al. (2022). These studies come to terms to highlight the assumption that courtroom discourse necessitates regular face management and

strategic confrontation between discourse participants. To clarify, much empirical evidence shows that law-related processes are inherently dynamic communicative interactions which entail continuous negotiation of inter-personal relations. In such a situation, there is a need for legal professionals to continuously negotiate their professional face and institutional authority through appropriate adjustments during testimonies and interrogations. This process results in a situation where discourse participants deliberately use confrontation as an attack on credibility. Based on the analysis of the selected data, this study reveals that speech acts and implicatures are not independent phenomena but interrelated pragmatic resources: speech acts establish argumentative propositions and implicatures guide the jury towards additional interpretations. This study, thus, accentuates the harmonizing analytical integration of speech acts and implicatures in revealing various forensic-pragmatic meanings in courtroom opening statements. Such a complementary analytical incorporation manifests itself throughout the analysis of the selected data. Opening statements, therefore, are perceived as constructed acts of legal persuasion, wherein linguistic performance, inference, and positioning combine in influencing how the jury will be stimulated to construe the evidence prior to the evidentiary phase of the trial process.

6. Conclusion

This study presented a forensic-pragmatic analysis to show how the meaning-making process is constructed in the opening statements delivered by the prosecution and defense attorneys of the former president of the United States at that time, Donald Trump, in his New York hush-money trial. The study employed a pragmatic approach that manifested itself in the use of two strategies: speech acts and implicatures. The analysis suggested that opening statements in courtroom trials were very argumentative and pragmatically oriented, and the two strategies are analytically incorporated to show how the prosecution and defense attorneys manage to communicate particular forensic-pragmatic meanings that go beyond the surface semantic propositions of their discourse. Regarding the first research question, the analysis indicated that the two attorneys utilized assertive speech acts as the main means of presenting conflicting representations of the trial, while directives operated complementarily to introduce future evidence, evaluate the events and participants, and direct the attention of the jurors towards specific interpretations. Concerning the second research question, it was analytically suggested that implicatures allowed the two attorneys to communicate meanings beyond their conceptual content. The analysis indicated that the inferences about conspiracy, intentionality, and criminal responsibility were promoted by the prosecution, while the inferences about the innocence of Trump, election interference, and the lack of credibility of the prosecution witnesses were triggered by the defense. Also, the analysis indicated that persuasion operates in courtrooms not only through explicit assertions but also through context-dependent inferential processes. This study, therefore, highlighted the significance of a forensic-pragmatic approach for explaining how opening statements are argumentative sites, where discourse participants construct competing legal discourses through linguistic action, inference, and interpersonal positioning.

Future research may extend the findings of this study by investigating further opening statements in other criminal trials using larger corpora, thus making comparisons possible not only between attorneys but also between trials, jurisdictions, and legal systems. Additional studies may incorporate qualitative forensic-pragmatic analysis with quantitative corpus-based approaches to identify the frequency and distribution of the pragmatic strategies observed. Comparative studies that consider the opening statements in Trump in relation to the opening statements in other celebrities who have been involved in legal disputes may also verify whether the findings of this study are confined to the trial under investigation or can be generalized to other courtroom trials. These studies might reveal further findings that provide useful insights into the possibility of formulating more elaborate forensic-pragmatic models of communication in courtroom discourse.

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Appendix (A)

Links to the opening statements in Donald Trump's New York Hush-Money Trial:

1. Link to the opening statements:
https://www.nytimes.com/interactive/2024/05/01/nyregion/trump-hush-money-trial-transcript-april-22.html
2. Link to other details of the trial:
https://www.famous-trials.com/trump2024