



# Mitigating Functions of Hedging and Boosting in Courtroom Discourse

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**Abstract :** Aside from its pragmatic-discourse context that is mainly directed to face work, mitigation in legal context is open either to a direct relatedness to the "reduction of vulnerability" or else to the amplification of accusation. The present paper aims at explicating how prosecution and defense attorneys employ the aggravation and minimization processes of mitigation to increase or decrease their clients' or others' vulnerability. To this end, hedging and boosting expressions in the defense and prosecution's opening statements in Casey Anthony trial for her daughter's homicide are investigated for their creation of mitigation effect. The obtained results show that the prosecution attorneys quite frequently aggravate the accusation of the defendants. However, the defense attorneys tend to minimize the guilt or accusation of the defendants. It is also noticed that some hedging expressions implicitly help aggravate rather than attenuate certain acts.

**Keywords:** hedges, boosters, mitigation, legal discourse, opening statements

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## 1. INTRODUCTION

Although there have been several researches on hedging and boosting in a wide range of professional discourses (Meyer and Pawlack 2010, Caffi 2007), little has been done in the area of courtroom discourse. Furthermore, the majority of research on hedging and boosting compares the same genre across fields and treats the two phenomena from either a textual or pragmatic standpoint. Such research is always concerned with highlighting the lack of total commitment in the case of hedging and conveying assurance in the case of boosting.

The present paper aims at highlighting the tools or devices that prosecution and defense attorneys use to help them produce a mitigation effect in the courtroom setting. The study tries to give a focal prominence to the two processes of mitigation (aggravation and minimization) in courtroom discourse. It is assumed that prosecutors are more likely to use the aggravation process in their try to maximize the accusation, allegation, guilt or the seriousness of the defendant's act. It is also assumed that defense attorneys are more likely to use the minimization process of mitigation to reduce the accusation, allegation, guilt or the