

## **“Let’s kill him”: Pronouns and addressee positioning in the closing statement of the penalty phase of capital trials**

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The closing statement of the penalty phase of capital trials is critically important in that it decides whether the defendant will be executed or spend his or her lifetime in prison. It is, objectively speaking, a monolog that constitutes the lawyer’s final opportunity to plead her case, thus her last chance to persuade the jurors to impose a death or life verdict. This fact makes it ideal for analyzing how speakers’ goals, understandings and biases are worked into the discourse they create.

It has been suggested that jurors are persuaded to sentence the defendant to die because of an “empathic divide”---jurors’ relative inability to perceive capital defendants as enough like themselves (Haney 200: 1558). This empathic divide can linguistically be created, for example, through reference terms and deictic expressions (Conley 2016). The current paper examines the roles of first-person pronouns in managing degrees of proximity and distance between the presenting lawyers, sentencing juries, and defendants. Indexical elements par excellence, pronouns depend on their interactional context for their meaning and by pointing to concrete individuals, they establish links between linguistic forms and the extra-linguistic world (social meanings) (Silverstein 1995[1976]; Schiffrin 2006). They allow users to construct, redistribute, or change the social values of ingroupness and outgroupness. In particular, drawing upon ten criminal trials (hence 20 closing statements in total), this paper analyzes the referential and pragmatic aspects of pronouns. The findings reveal that first-person pronouns are present in every lawyer’s discourse, showing a broad range of referential functions. Pragmatically, these pronouns realize three broad functions: in/out-group constituting, argumentative and metadiscursive. It is argued these pronouns aid in the (de)humanization of the defendant and justifies the state-sanctioned killing. This study testifies to the complex nature of first-person pronouns and contributes to revealing how social, discourse, and genre aspects shape the use of these pronouns.

### **References**

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