

A Pragma-Logical Analysis of Manipulation Strategies Used by American and Arabic Attorneys in Selected Criminal Trials

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Abstract

This study is devoted to investigate the defense of American and Arabic attorneys from a pragma-logical perspective. It is hypothesized that manipulation is a dangerous pragmatic act which is practised by them when defending their clients in criminal trials. Therefore, this study aims to prove that their defense contains arguments which do not agree with the proof standard of criminal cases. Such a proof requires them to present logical evidences beyond a reasonable doubt to persuade the members of the jury that their clients are innocent, or at least they have logical reasons which led them to commit their murders. To achieve the aims of the study, six arguments are chosen for analysis. The first three are advanced by the American defense attorney Robert Rogers. The next three are advanced by the Arabic defense attorney Mustafa Ramadan. Their defense is analyzed qualitatively and tested according to the pragma-logical criteria discussed below. The results show that they both resort to different argumentation schemes, different logical components, and different logical fallacies. These differences indicate that their arguments are fallacious and serve a pragmatic manipulative intention.

Keywords: *Manipulation, Argumentation Schemes, Syllogistic Structures, Logical Components, Logical Fallacies.*

Introduction

Manipulation is a heterogeneous subject in linguistic and other psychological fields. It is studied widely by different scholars who have their own views based on a deep analysis of the subject in their professions. This study deals with manipulation as a linguistic phenomenon; it is mainly treated as a pragmatic process. Attorneys follow a legal reasoning process to fulfil their burdens of production and persuasion in criminal cases. In both types of burdens, they present evidences of innocence. Within the burden of persuasion, they are given more chance to create a probability of doubt to prove that their defendants did not commit the crimes. Therefore, the main tools of analysis in this study are used to test the logical validity of their arguments in order to determine whether they contain valid logical evidences or not.

Manipulation

Asya (2013: 5) defines manipulation as a verbal interaction which is motivated and realized by the speaker (as a subject) in a certain communicative context. The speaker stimulates the listener to alter an action, or to “exercise indirect influence in order to mould certain emotions and perceptions”. The manipulator, according to Asya, aims at organizing the behaviour of the listener in accordance with the needs that match the speaker’s intentions.

Similarly, Perloff (2017: 22) stresses that manipulation is a “symbolic process in which communicators try to convince other people to change their attitudes...through the transmission of a message in an atmosphere of free choice”. For this reason, Horn (2019: 12) asserts that “manipulation is a form of intentional influence” used to achieve a goal in the interests of the manipulator.

Pragma-Logical Analysis: The Model Adopted

It is mainly concerned with the analysis of the relationship between the premises and the conclusions in order to test the validity of the arguments advanced by the selected attorneys. As Feteris (2012: 65) puts it, “only if an argument is logically valid, does the decision (the conclusion) follow from the facts (the premises)

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of their advanced arguments”. For him, this “logical validity is a standard of legal argumentation”. Such a logical validity requires four means of logical analysis: argumentation schemes; Aristotle’s syllogistic structure; logical components; and type of logical fallacies (Mansoor and Wijaksana, 2023). They are explained below.

Argumentation Schemes

Macagno (2022a: 67) writes that these schemes are used to show the relationship between the premises and the conclusion of an argument that the manipulator seeks to be accepted by the receiver. The study follows the schemes drawn by Macagno (ibid.: 12-27). They are the following:

Argument from consequences: the manipulator connects the consequences of an action with the desirability of the action itself to prove that an issue is desirable or not.

Argument from expert opinion/position to know: the manipulator speaks according to his position which allows him to advance arguments in his favour.

Argument from cause to effect: the manipulator presents a cause in his argument to predict a future effect.

Argument from analogy/example: the manipulator transfers a predicate of an entity into another by showing similarities between the two.

Argument from classification: the manipulator attributes the predicate of a certain entity to a certain property that he defines in his argument.

Aristotle’s Syllogistic Structure

Wodage (2014: 255) writes that a syllogism is a connected with legal reasoning which is practised by attorneys when they present their evidences in front of the members of the jury. Patzig (1968: 27) states that the idea of using a syllogism in legal reasoning is not new, it is dated back to Aristotle in his “assertoric syllogism” logical theory of argumentation. However, Vandeveld (2011: 93) asserts that a syllogism is constituted of a major premise, minor premise, and a conclusion. The following example illustrates:

Major Premise: All Kentucky colonels wear string ties.

Minor Premise: Mr. Sanders is a Kentucky colonel.

Conclusion: Mr. Sanders wears a string tie.

(ibid.: 94)

Walton (2018: 59) admits that an attorney should prove that his arguments meet the requirements of the standard definition of proof (proof standard) in order to succeed in convincing the members of the jury that his conclusion is “beyond all doubt”, as discussed in (Sec. 3) below.

Toulmin’s (1958) Logical Components

Toulmin (1958) writes that there are six logical components used to test “the probability” (ibid.: 42) of an argument. These are the following:

Data (D): The facts we appeal to as a foundation for the claim, or information on which the claim is based. Such information are usually explicit evidences which are used to support the claim (ibid.: 90, 92).

Warrant (W): Hypothetical statements, which can act as bridges, and authorise the sort of step to which our particular argument commits us. A warrant is usually used to strengthen the claim (Toulmin, 1958: 91-92).

Claim (C): The main point that the arguer tries to prove. It acts as a conclusion in the syllogistic form (ibid.).

Qualifiers (Q): The necessary qualifications to accept the claims. They are those statements which are used to strengthen the probability of the claim. They are used to assert that such a claim is presumably true. They are usually implicit (ibid.: 93).

Rebuttals (R): The exceptional conditions which might be capable of defeating or rebutting the warranted conclusion (ibid.: 94).

Backing (B): Those additional evidences which are used to support the warrants and strengthen the probability of the claim (ibid.: 96).

Type of Logical Fallacy

Logically speaking, fallacies “are errors in reasoning, and they can be used to deceive...and misplace the burden of proof”. They are used to destroy the logical construction of an argument (Dowden, 2017: 264). Therefore, fallacies are used as tools to compare the validity of arguments with the burden of proof. This study follows Macagno’s (2022b: 16-31) logical fallacies. They are the following:

Straw Man: a modification of the viewpoint or a claim of the interlocutor for attacking it more easily.

Secundum Quid: presupposing that the premise includes/ excludes the qualifications necessary for drawing the conclusion.

Post Hoc Ergo Propter Hoc: a temporal or spatial coincidence or succession presupposed as a cause-effect relation.

Hasty Generalization: from specific events to a universal generalization.

Slippery Slope: consequences unwarranted by the facts, too exaggerated.

The Proof Standard of Criminal Cases

Narula (2018: 1) states that “beyond a reasonable doubt” is a standard proof of innocence or guilt in criminal trials. The proof standard is tested in such trials in accordance with the evidences provided by the premises advanced by the attorneys. Therefore, the proof standard is the “proof beyond reasonable doubt”. It means that those attorneys work hard to make probabilities of doubt, Narula writes that “if the jurors are in doubt of the matter and not certain, the judgment ought always in such case to be for the defendant”. Beyond a reasonable doubt is used as a standard for this purpose.

Data Analysis

The selected arguments of this study are extracted from alive delivered pleadings of two attorneys while defending their clients in criminal trials: Robert Rogers (an American attorney) and Mustafa Ramadan (an Arabic Attorney). The overall arguments analyzed are (6), they are classified into (3) arguments for each part of analysis. The extracted American arguments are transcribed according to the captions available within the default application of YouTube. The complete versions of the delivered American and Arabic speeches of the selected attorneys are available on YouTube company: Robert Rogers (Full Video: Amber Guyger Trial Defense Opening Statement, available at:

<https://www.youtube.com/watch?v=Ivg11PZUKd8>), Mustafa Ramadan (Full Video: [خاتمة مرافعة](https://www.youtube.com/watch?v=7MTxRajgIsg) الأستاذ مصطفى رمضان في قضية مقتل خالد سعيد), available at: <https://www.youtube.com/watch?v=7MTxRajgIsg>. The Arabic arguments are translated according to the semantic and the communicative methods.

Notations and keys to the transcription convention of both American and Arabic arguments are indicated in the following table:

Notations and Keys to the Transcription Convention of the Selected Arguments

Notations	Keys
...	indicating a separate premise
()	explaining what cannot be written
-	two connected words
:	followed by either enumeration, explanation, or Qur'anic Verse
{ }	including Qur'anic Verse
“ ”	including a quoted speech repeated by the arguer
[00:00]	including the time intervals between each argument

American Defense

Robert Rogers

Argument (1)

[11:13] on September 6 Amber was following her normal routine...her normal routine is she goes to bed...she forces herself to go to bed around midnight...she can't sleep...she has a trouble falling asleep constantly...she scolds herself because she blames herself saying "I'm gonna let down my team if I'm tired", and it takes her a while to fall asleep...she, after couple of hours, she falls asleep, and every day she wakes up at 5:30

Discussion

Rogers is supposed to defend his client police officer who is accused to kill an innocent citizen in his apartment thinking that he is an intruder. He follows an **argument from cause to effect** because he predicts a behaviour from the stable characteristics of his defendant which says that she can't sleep well. This sleeping problem is the main cause of the murder in this argument. The following syllogism illustrates Rogers' intention:

Major Premise: few hours of sleeping causes troubles.

Minor Premise: the defendant slept very few hours.

Conclusion: it caused a trouble for her.

Rogers intends to say that she mixed between her apartment and the victim's apartment just because she slept very few hours, as she 'has a trouble falling asleep constantly'. This is a weak logical evidence if it is tested against the following logical components:

Data: on September 6 Amber was following her normal routine...her normal routine is she goes to bed...she forces herself to go to bed around midnight.

Warrant: she can't sleep...she has a trouble falling asleep constantly.

Qualifier: she scolds herself because she blames herself saying "I'm gonna let down my team if I'm tired", and it takes her a while to fall asleep.

Backing: she, after couple of hours, she falls asleep, and every day she wakes up at 5:30.

Claim: the defendant faces troubles falling asleep constantly.

she forced herself to sleep at a late time before the murder (implicit).

she slept very few hours before the murder (implicit).

the trouble of falling asleep constantly is one reason of her crime (implicit).

The warrant in this persuasive argument is very weak because it cannot be considered as a direct evidence to commit a murder. The qualifier is also very weak because even she is a reasonable police officer it does not mean that this fact constitutes a logical evidence in her favour. The backing is used to indicate that the defendant slept only few hours from midnight to '5:30', as if he says that she slept only three hours and a half before the murder. The claims make it clear that Rogers try to connect the sleeping problems with the crime of his defendant.

On the other hand, this fact indicates that he commits a **post hoc ergo propter hoc** fallacy because he resorts to a temporal coincidence between the date of the crime 'on September 6' and the stable characteristics of his defendant which are clearly used as 'long-term' indicators to his further conclusion/claim which implies that she mistakenly entered the flat. This argument is used as a strategy forwarded to the members of the jury who are also human beings and know what a sleeping problem means for a hardworking policewoman. In all cases, this argument contradicts the proof standard of criminal cases because it creates no probability of doubt against the accusation of his defendant.

Argument (2)

[12:31] she moved into the Southside flats...what she didn't know and she didn't think about and none of the tenants at Southside flats think about is that it's a confusing place...the parking garages, no, none of the numbers are clearly marked...you drive around by memory...you park by memory...you park by feeling...when you get out of your car you can take the time to look around and see...okay, is this the second floor...it's the third floor...but most people don't...that's not reasonable in fact

Discussion

Rogers concentrates on the generality of the mistake which is committed by 'most people' who cannot differentiate between the numbers of the parking garages. His argument resembles an **argument from cause to effect** because he intends to say that his defendant is one of those tenants who committed such a mistake. This type of scheme is repeated by Rogers in this argument for the same manipulative purpose. His intention can be realized in the following syllogism:

Major Premise: the Southside flats is a confusing place.

Minor Premise: the defendant moved to live there.

Conclusion: she went to the wrong floor.

The confusion nature of the place is not conditionally applied to his policewomen defendant. The following logical components of this argument illustrate this point:

Data: she moved into the Southside flats...what she didn't know and she didn't think about and none of the tenants at Southside flats think about is that it's a confusing place.

Warrant: the parking garages, no, none of the numbers are clearly marked...you drive around by memory...you park by memory...you park by feeling.

Rebuttal: when you get out of your car you can take the time to look around and see...okay, is this the second floor...it's the third floor...but most people don't...that's not reasonable in fact

Claim: she lives in a confusing place.

she did not take time to look and see the numbers of the parking garage (implicit).

she entered the wrong flat of the victim (implicit).

The confusing place causes troubles to the tenants who live there; his defendant is one of them. The confusing place is warranted by the unclear numbers of the garages. In this warrant, Rogers resorts to the first person pronoun 'you' to admit that anyone goes there can realize that the numbers are not clear. The rebuttal is used to intentionally strengthen his claim which indicates that his defendant did not look and see the numbers; it is a true fact although he disagrees with it. This is a **hasty generalization** fallacy which is drawn on the basis of the fact that 'most people' do not realize that it is a confusing place. He intends to say that his defendant did not look and see the numbers of the parking garage, just like those tenants. It is clearly used to stress the manipulative generalization in favour of his conclusion which indicates that his defendant confused between her apartment and the victim's apartment.

Argument (3)

[13:11] after this incident the investigators interviewed and learned that 93 tenants had unintentionally parked on the wrong floor, 76 of those that lived up on floors 3 and 4...when you get out of your car and you walk there is no number that is posted on the entrance to the hallway and so you have to go over to the elevator and look to see if you see the number 3, 4 or 2; that is a couple of inches high...most people don't do that...that's why 93 people reported that lived in Southside flats reported walking, unintentionally walking to the wrong apartment on the wrong floor

Discussion

Rogers manipulatively relies on the 'investigators' to strengthen the validity of his claim which indicates that nearly all the tenants of the Southside flats walk unintentionally to their apartments. Therefore, this is an **argument from expert opinion/position to know**. Those experts are only used to prove that his defendant unintentionally entered the apartment of the victim. His intention is realized in the following syllogism:

Major Premise: 93 tenants unintentionally walk to the wrong apartments.

Minor Premise: the defendant is a tenant who lives there.

Conclusion: she unintentionally walked to the victim's apartment.

It is not a condition for his defendant to unintentionally park on the wrong floor. He exerts his efforts to prove so, as it is realized in the following logical analysis:

Data: the investigators interviewed and learned that 93 tenants had unintentionally parked on the wrong floor, 76 of those that lived up on floors 3 and 4.

Warrant: when you get out of your car and you walk there is no number that is posted on the entrance to the hallway and so you have to go over to the elevator and look to see if you see the number 3, 4 or 2; that is a couple of inches high...most people don't do that.

Backing: that's why 93 people reported that lived in Southside flats reported walking unintentionally walking to the wrong apartment on the wrong floor.

Claim: the tenants who live there unintentionally walk to the wrong apartment on the wrong floor.

the tenants who live there do not look at the numbers posted on the elevators.

The data is intended to indicate two important facts. The first fact is indicated by the interview of the investigators. The second fact is indicated by the great number of people (93 and 76) which is mentioned to give a high possibility that his defendant is one of those tenants who unintentionally park on the wrong floor. This is warranted by the fact which indicates that there are no numbers posted on the entrance of each floor. It is impossible to say that she did not look at the numbers of the elevators which are 'a couple of inches high'. For this reason, the backing comes to strengthen his weak manipulative claims. It is also the same reason which proves that he commits a **hasty generalization** fallacy because he manipulatively draws a conclusion which applies to all.

Arabic Defense

Mustafa Ramadan

Argument (1)

[00:05] بل ان هذا التقرير انما يؤدي الى التعمية...والتعمية تؤدي الى اعادة انتاج الظلم...فلم يكن ابدا هذا التقرير جزءا من الحل...بل كان جزءا من الأزمة...بل انه نقلنا من حكم الازمه الى ازمة الحكم...لكننا وايكم نرصده بعد ما اثار الفتنة...انما نرصده بالفتنة

[00:05] This report leads to obscurity, and obscurity leads to the reproduction of injustice...this report has never been part of the resolution, but is part of the crisis...it transferred our case from controlling the crisis into a crisis of justice...but we are together able to control it after it caused disturbance...by our discretion we can control it

Discussion

Ramadan gives his arguments in defense of two policemen who are accused of killing an innocent citizen. He follows an **argument from consequences** because he tries to show the negative consequences of the report which 'leads to obscurity', to further 'leads to the reproduction of injustice'. It is clear that the report is presented against his defendants. Therefore, he tries to convince the members of the jury that the report has bad consequences on justice, and so it should be rejected. His intention is presented in this syllogism:

Major Premise: obscurity leads to injustice.

Minor Premise: the report contains obscurity.

Conclusion: it leads to injustice.

Rogers concentrates on minor methods of convenience rather than to present adequate evidences to prove that the 'report leads to obscurity'. Consider the following logical analysis:

Data: This report leads to obscurity, and obscurity leads to the reproduction of injustice.

Warrant: this report has never been part of the resolution, but is part of the crisis...it transferred our case from controlling the crisis into a crisis of justice.

Backing: but we are together able to control it after it caused disturbance...by our discretion we can control it.

Claim: the report should be rejected due to its bad consequences (implicit).

Ramadan links the bad consequences with 'injustice' to convince the members of the jury that they will commit a mistake if they believe that the report contains true information against his defendants. His warrant is very weak because it is impossible for the report to cause a 'crisis of justice'. He repeats another unbelievable claim in the backing which implies that the report will cause 'disturbance' in 'justice'. Therefore, the probability of doubt cannot be raised according to some invitations to solve a crisis of justice. His argument is based on impossible claims.

These facts indicate that Ramadan commits a **slippery slope** fallacious argument because he uses chains of bad consequences as an alleged cause which indicates an exaggeration since it is impossible for such a false report to have all these negative consequences.

Argument (2)

[01:33] المعركة هي معركة ابدية بين الحق والباطل، بين الصدق والكذب..لذلك اقول ان الشعب المعلم لا يحتاج الى ملهم...الشعب المعلم يعلم جميع الملهمين...هذا الشعب الذي لا يلتف حوله الا كل شريف وكريم...ولا يحاربه الا كل لنيم وحقير

[01:33] it is an eternal battle between justice and injustice, between honesty and dishonesty...for this reason, I say that the educated nation doesn't need inspirer...it is this nation which educates those inspirers...only honorable and generous are those who belong to such a nation...and only inferiors and evil are those who stand against such a nation

Discussion

Ramadan follows an **argument from classification** where he takes into account the classification of 'inferiors and evil' as being those 'who stand against' 'the educated nation' in the 'eternal battle' which is set in between justice/honesty and injustice/dishonesty. He represents justice and honesty while those who wrote the report represent injustice and dishonesty in such a battle. His intention is realized in the following syllogism:

Major Premise: it is an eternal battle.

Minor Premise: I represent justice and honesty in this eternal battle.

Conclusion: they represent injustice and dishonesty.

He tries to convince the members of the jury that he belongs to the educated nation which aims at achieving justice. This is proved by the warrant in the following logical analysis:

Data: it is an eternal battle between justice and injustice, between honesty and dishonesty.

Warrant: for this reason, I say that the educated nation doesn't need inspirer...it is this nation which educates those inspirers...only honorable and generous are those who belong to such a nation...and only inferiors and evil are those who stand against such a nation.

Claim: the report is written by dishonest people who stand against justice (implicit).

The warrant is very weak if it is compared with the fact that it is impossible to prove that those people who wrote the report are ‘inferiors and evil’ without a concrete evidence which proves that the report contains false information. For this reason, the ‘eternal battle’ is realized as a fake scenario used by Ramadan for a manipulative purpose. It is the same reason which permits to say that he commits a **straw man** fallacy because he changes the topic of discussion in order to attack anybody who stands against his educated nation. Hence, he attacks anybody who stands against him in his defense. In doing so, he expects the members of the jury to go in line with him and to think about a possible assumption that those who wrote the report are dishonest.

Argument (3)

[03:28] الم يقل المولى عز وجل في كتابه الكريم وفي وصف المؤمنين بسم الله الرحمن الرحيم {والذين امنوا ولم يلبسوا ايمانهم بظلم اولئك لهم الامن وهم مهتدون}...؟ اقول ذلك لان الضلال والتضليل والافك والبهتان كانوا وما زالوا هم العمود الفقري لتلك القضية

[03:28] isn't it right that Almighty Allah describes those believers in the Holly Qur'an: In the name of Allah, the most Gracious, the most Merciful {Those who believe and obscure not their belief by wrongdoing, theirs is safety; and they are rightly guided}...I say so because falsity and refutation, lying and fabrication are the backbone of this case

Discussion

Ramadan follows an **argument from analogy/example** because he intentionally recites a Qur'anic Ayah to support his argument with an analogy. It is used to refer both to the members of the jury and to those who wrote the report. On the one hand, he intends to say that those people who wrote the report ‘obscured their belief by wrongdoing’ since the report represents ‘falsity and refutation, lying and fabrication’ in his case. On the other hand, he manipulatively resorts to this analogy because of the fact that the members of the jury are Muslim believers. So, he tries to convince them that the report contains information which contradicts their belief as Muslims. The following syllogism resembles his intention:

Major Premise: Muslim believers do not accept wrongdoings.

Minor Premise: the report contains wrongdoings.

Conclusion: it should not be accepted.

Giving an argument on the basis of religious does not mean that it is a concrete evidence of innocence. It is noticed that the Qur'anic Ayah represents the data of this argument in the following logical analysis:

Data: isn't it right that Almighty Allah describes those believers in the Holly Qur'an: In the name of Allah, the most Gracious, the most Merciful {Those who believe and obscure not their belief by wrongdoing, theirs is safety; and they are rightly guided}.

Warrant: I say so because falsity and refutation, lying and fabrication are the backbone of this case.

Claim: the members of the jury should not obscure their belief by the wrongdoing of those who wrote the report (implicit).

In terms of the proof standard in legal cases, this data cannot be considered as a direct evidence of innocence because it does not present any probable doubt that the defendants did not commit the crime. The warrant is very weak since Ramadan allegedly claims that the case of his defendants is based on ‘falsity and refutation, lying and fabrication’ without any concrete evidence to prove so. His argument represents a **secundum quid** fallacy implied by the Qur'anic Ayah. It is used to convince the members of the jury that it represents the necessary qualification which imposes them to reject the report.

Findings and Discussion

The data analysis show that the selected attorneys use to fulfill their defense with very weak logical evidences which do not agree with the proof standard of criminal cases. This is an indication that their arguments are logically very weak. Both Rogers and Ramadan resort to different argumentation schemes in a try to build different persuasive logical arguments. Rogers is found to rely on **argument from cause to effect** in his first two arguments. The third argument is constituted on the basis of **argument from expert opinion/position to know** scheme. Ramadan, on the other hand, is realized to rely on three different argumentation schemes: **consequences; classification; and analogy/example**. This difference indicates that both Rogers and Ramadan have a manipulative intention due to these logical differences in their arguments.

As far as the logical components are concerned, the arguments of both Rogers and Ramadan fail to raise the probability of doubt in their defense. This fact is realized by the mistaken evidences which are accomplished by the syllogistic structures and the logical components analyzed. It indicates that they fulfill their arguments with different logical components to strengthen their intention, this is with the fact that such components do not have a proof weight; the result is a manipulative claim. The overall analysis proves that they build their arguments on different 'data'. It means that they try to present different logical evidences in each argument used. The 'warrant', on the other hand, is found to be the main logical component used to strengthen the claims of each argument. It indicates that the selected attorneys rely on the warrant to persuade the members of the jury since it contains the logical evidences used to raise the probability of doubt which is already realized to be very weak. All of these weak warrants are used for a manipulative purpose because none of them is realized to prove the innocence of their defendants. The 'qualifier'; and 'rebuttal' are used by Rogers only. It means that he is likely to strengthen his arguments with as much logical components as possible. It also indicates that Ramadan lacks enough logical evidences to support his claims.

The 'backing' is used by both Rogers and Ramadan. This component is not less important than the warrant because it is used by them to add credibility to their arguments. The 'claim', as a final logical component, is noticed to constitute the main difference between Rogers and Ramadan. The logical ability of Rogers permits him to construct arguments with more than one claim. It is realized that he usually has an explicit claim concluded from the logical facts presented in his arguments in addition to an implicit claim inferred from the premises as an overall intention. Ramadan, on the other hand, is realized to have one claim for each argument, most of them are implicit. It indicates that Ramadan pays no attention for logic in constructing his arguments.

Finally, it is found that the selected attorneys used to commit different fallacies in their defense; each argument is realized to be a fallacy which unveils the manipulative intention of each attorney. The first argument of Rogers is realized to be a 'post hoc ergo propter hoc' fallacy, while the second two arguments indicate a 'hasty generalization' fallacy. Ramadan, on the other hand, committed a 'slippery slope' fallacy in his first argument, a 'straw man' fallacy in his second argument, and a 'secundum quid' fallacy in his third argument. These different fallacies indicate that both Rogers and Ramadan are defending their clients on fallacious bases which are used to mislead the members of the jury.

Conclusions

The following are the conclusions of this study:

- The selected American and Arabic attorneys employ different argumentation schemes for the same manipulative purpose because they build different persuasive arguments for the same standpoint they are defending. It indicates that those argumentation schemes serve a pragmatic intention which is rendered into a manipulative strategy.

- No one argument is proved to raise the probability of doubt in any of the (6) arguments analyzed despite the fact that the selected attorneys are required to present evidences that match the proof standard of criminal cases. This fact is tested against Toulmin's logical components which revealed that those attorneys resort to different 'warrants' in order to strengthen their 'claims'. All of these warrants are realized to have a zero weight of proof.
- Each one argument analyzed corresponds to a type of a fallacy. The overall analysis shows that the selected attorneys committed (5) types of fallacies distributed between Rogers and Ramadan. These differences indicate that their defense is based on fallacious bases which serve a manipulative intention.

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