

DEFENDANTS' SPEECH AS AN OBJECT OF PSYCHOLINGUISTIC RESEARCH

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ABSTRACT

The article assesses the psychological impact of a number of objective and subjective factors such as location, situation, social status, personal interest, participation of close relatives, convenience and inconvenience in the emergence of the defendants' speech at the trial. It is well known that speech is an extremely complex, multifaceted phenomenon, many aspects of which cannot be expressed in writing, and that only when the process of communication is studied at the intersection of person-speech is reasonable information gathered. In this sense, these conclusions regarding the psycholinguistic analysis of the defendants' speech were summarized through direct participation in the trial.

Keywords: Defendants who have committed a crime for the first time, defendants who have committed a repeated or repeated crime, speech complication objective factors, subjective factors, illustrators.

INTRODUCTION

Man is a very complex being. Changes in his psyche and emotions are also directly reflected in his speech. Joy, gladness, sorrow, grief, longing, pain, suffering, anguish, regret, anger, hatred, hunger, satiety ... etc. In psychology, human emotion is divided into types such as affect (very strong but short-term emotional reactions), emotion (long and stable emotional relationship), mood, and stress (strong emotional shock) [1, 109]. All three of these appearances come in handy in psycholinguistic analysis when the defendants speak at the time of the speech (trial).

A person uses body language in any situation, whether voluntarily or involuntarily. However, many do not understand the language very well. A good understanding of body language gives a person great advantages and opportunities in life, because a person who can understand it correctly and well can read the original feelings and goals of the interlocutor, and in some cases even his thoughts. Observations in this regard are very important. Attention to every aspect will be the basis for drawing the right conclusions from the trial and will be an important factor in the court's judgments, rulings and decisions in a lawful, reasonable and fair manner.

Materials and methods

Psychologically assessing the participation of the defendants in the trial and the appearance of communication, we can divide them into two groups according to their moral aspects, and at the same time, in connection with their emotional state, we can analyze the speech of adults in psycholinguistic analysis:

1. The expression of the speech of the defendants who have committed a crime for the first time, are ready to confess their guilt and regret their actions;
2. Representation of the point of view of defendants who have repeatedly or repeatedly committed a crime, whose social behavior is poor.

The first group. In describing this group, the commentator who is "ready to confess his guilt and repent of what he has done" plays an important role. A person who is deeply sorry for the crime he has committed will feel remorse, shame, and remorse for his actions long before the interrogation begins. "Such an accused, in the guise of an investigator, sees a person who sympathizes with him and wants to know objectively what happened," he said. It builds confidence in the investigator. Understands the investigator's comments that a sincere confession of guilt, giving the right testimony, would be a mitigating circumstance. Such a position of the accused will undoubtedly be the basis for establishing a link between the investigator and the interrogated. "[4] Communicating with such defendants, who feel completely guilty, is also uncontroversial in court. While reviewing the reasons for their involvement in the crime (review of court documents, court rulings, court rulings, etc.), we can say that the reason for the commission of crimes by this group of defendants is a violation of social relations, in particular, the process of communication between interlocutors. misunderstandings, misunderstandings, "speech complications", a negative effect on the psyche, a strong aggressive state, exposure to people with negative morals. "Defendant K. Kamilov's last words [9]: "My last word is for my family, this will not happen again, this will be the first time, I'm sorry, I'm sorry, give me relief" "(from the court transcript). It was observed that the majority of representatives of this group were minors. "Defendant K. Kamilov's last words: "In fact, I did something bad, I turned my parents' faces to the ground, I apologize to them and the President, I fully admit my guilt, give me relief, I am the cause of everything, my parents forgive me" (from the court transcript). The emotional state of such defendants is usually accompanied by a heavy state of mind, depression, guilt, shame, fear (anxiety), and in their speeches they say "forgive me", "I regret what I did", "how I look at my parents' face", "I will not repeat", "one Give it a chance" is expressed in a sad tone, through tears, turning the face to the ground, hiding the eyes, joining the hands. "Defendant K. Kamilov's last words: "First of all, I regret what I did, I did not do a good deed before the Creator, I apologize to the court and everyone, I apologize to the community, relatives, in the future I will be a person who benefits the country, I regret a thousand times" (from the minutes). An expression of shame appears on the face of a person whose conscience is tormented and who feels guilty, who may try to close his eyes with his eyes down, and press his lips tightly and swallow his breath [10, 18].

The second group. Prior to this charge, the defendants had been convicted of a crime (serving a sentence, serving a sentence in a penal colony, being a high-risk recidivist). , an angry, sarcastic smile is observed. During the initial investigation with members of this group, "it may be more difficult to establish contact with a defendant who has deliberately attempted to give false testimony and who has previously been convicted. Sometimes it is not possible to communicate in such a conflict situation. The interrogation is of a reciprocal nature, in which case the investigator's task is to psychologically convince the accused that he must show respect to his opponent, and that it is hopeless to deceive the court. [4] Their speech is characterized by rudeness and rudeness, such as "I ask you to pardon me," "I will not return," "I ask you to impose a different type of punishment than imprisonment." In most cases, we have witnessed cases of staring at the victim (s) (if he is present at the trial) and witnesses with a feeling of protest, threat, disregard. "Defendant K. Kamilov's last words: I ask you to apply non-custodial sentences in accordance with Articles ... of the Criminal Code"; Defendant K. Kamilov's last

words: "I ask you to give me relief"; "Defendant K. Kamilova's last words: "I regret what I did, I have minor children and an elderly mother. The victim K. I will definitely pay Kamilov out of prison and ask for a discount. (from the minutes of the court session).

At the trial, the emotional expressions of the body appear in the "climax" of any defendant. In other words, the majority of the first group of defendants are based on emotional states, and the second group of defendants are based on emotional states of anger and hatred. In this sense, it should be noted that the beginning, continuation and ending of the dialogue established by the presiding judge with both types of defendants requires very delicate discipline, in particular, not to treat the defendants rudely and impartially, to pay attention to human destiny, to understand them in any situation. Otherwise abrupt negative action and communication may be observed.

RESULTS AND DISCUSSION

Spatial, temporal, situational, social function, and a number of other factors inevitably have a psychological effect on the occurrence of defendants' speech at trial. Accordingly, we can distinguish two groups:

1. Objective factors influencing the expression of the defendants' speech.
2. Subjective factors influencing the expression of the defendants' speech.

Objective factors. 1. Judicial Board [5]. For the defendant (s) to say that the presence of the presiding judge and people's advisers, the public prosecutor, the defense attorney, the fact that the defendant is involved in the case, that everyone is in the spotlight, causes real psychological stress possible. "The accused is a person who has been decided to be involved in the case as an accused in the manner prescribed by this Code" (Uz. Res. JPK, Article 45, Part 1). Criminal proceedings in court shall be conducted only against the accused (Article 4.14 of the Criminal Procedure Code, Part 1). The fact that the interlocutor tries to partially or completely cover the interlocutor's face with his fingers or avoid his gaze (eyes) before answering the given question is a sign of his discomfort, i.e. stress [10, 21]. This is especially evident in the last words of the defendants. "Defendant K. Kamilov's last words: "Assalamu alaykum, we have confessed our crimes, we have solved all the crimes ourselves, we have repented, we are in prison, we have lost our minds, such things will not happen again, our lives are in your hands, give us a chance, from our President, honorable judge from you and everyone I apologize "(from the minutes of the court session).

2. Court building. It should be noted that a trial is radically different from any other situation or any regulated process. Psychologically, this situation can also be associated with the building where the process takes place. Upon entering the facility, each participant only performs actions based on strict rules established by law, in particular, communication processes. The presiding judge (judge) maintains order in the court on the basis of Article 425 of the Code of Criminal Procedure "Measures to be taken against violators in the court session" [7, 292]. We can say that the influence of such rules and environment causes the behavior and speech of the defendants to take place within the framework of the "iron discipline".

2. Courtroom. In other words, the purpose, testimony and actions of each defendant are, first of all, to justify himself, at least to mitigate the punishment, in other words, to protect his interests in any way, if it is clear that his crime deserves the inevitable imprisonment. will be focused. Of course, it is natural that lies and animations are expressed in this way. Psychologically, in response to such cases, the participation of defendants behind bars serves as a reminder of the "inevitability of punishment for a crime" and as a means of encouraging them not to hide the truth, not to confuse the court, not to lie. "Defendant: ... not to refuse to participate in the trial; not to obstruct the establishment of the truth by destroying evidence,

falsifying, attempting to persuade witnesses and other illegal actions ... not to impede the execution of other procedural decisions provided for in this Code; must follow the procedure during the investigation of the case and the court session”(Uz. Res. JPK, Article 46, Part 3).

Subjective factors. 1. Personal interest. In most cases, there are discrepancies (ie, reversal of previous testimony) between defendants' testimony as defendants during the pre-trial investigation (which is reflected in the pre-trial investigation report) and previous evidence (interrogation report, pre-trial report) at the time of the testimony.) are not recognized. Based on psychological considerations, we can say as an explanation that during the initial investigation, the accused is usually interrogated at the scene of the crime, during that time, without consulting himself on how to save himself from punishment. Until the end of the trial (the term of the trial should not exceed two months from the date of the hearing”(Article 405 of the Criminal Procedure Code), the defendant analyzes the indictment and thinks about the imposition of any sentence. . Defender K. Kamilov's questions were answered by the defendant K. Kamilov's answers: "My testimony in court is correct. My testimony in the investigation is incorrect. My testimony in the initial investigation was given under psychological pressure (from the transcript of the trial). “Defendant: to know what he is accused of; has the right to get acquainted with all the materials of the case after the completion of the inquiry or preliminary investigation”(Article 45 of the CPC).

3. Close relatives (parents). It is often observed that the presence of close relatives of the defendants, in particular the parents, has a strong influence on the occurrence of their speech at the trial. Under the influence of this, shame (feeling guilty) is a bright manifestation of the emotional state. When defendants are questioned or spoken by the presiding judge (judge), the public prosecutor (prosecutor), in one of the two words, such as "I did something stupid", "I did something stupid", "I did not know", "I did not think it would happen" repeated use is observed. If you look at the interpretation of these words, “A fool is a fool. (OTIL, vol. 1, p. 103) Stupidity is foolish behavior, misconduct; (Vol. 1, p. 103) The word foolishness has the semantics of ignorance, ignorance. “The ignorant are ignorant”(OTIL, vol. 3, p. 48) “Ignorance is ignorance of something, an event or incident”(OTIL, vol. 1, p. 263). Stupid - unable to think correctly, (OTIL.4 vol., P. 64) [8] seems to have meanings. The general conclusion of the comments is that these sentences are speech aimed at psychological influences such as self-justification, non-aggression, explaining that he is not such a bad person. Defender K. Kamilov's question was answered by the defendant K. Kamilov's answer: "I regret my actions, I did something stupid, I apologize to my President, my parents, everyone"; “Defendant K. Kamilov's last words: "I did not understand that this way is wrong. I apologize to everyone”(from the minutes of the court session).

4. Convenience and discomfort. It is also important to take into account the fact that the defendants are exposed to the environment during the trial, while comfort and inconvenience also affect their speech. The purpose of the trial is to reveal the truth, to observe the person's speech, many of his actions, to compare them with normal behavior, and to assess the environment in which they occur, to determine whether the accused feels comfortable or uncomfortable. very necessary. Every emotion observed in the defendants can be separated into one of these two cases. In most cases of discomfort, a person's self-confidence is reduced. This can be seen by frowning, pulling down the eyebrows, and staring at the ground. In fact, frowning is not an expression of a state of discomfort, but an expression of how a person is coping with this state of discomfort. For example, a person who is in a state of anxiety or worry usually tries to find a solution to the problem and therefore tends to concentrate. In the process, the eyebrows twitch and the eyes usually freeze downwards (i.e., think) [10, 27]. This situation should not be confused with the expression of anger. If the eyes look upright when the eyebrows are raised - this is an expression of anger. If a person frowns at the same time as rolling his eyes, it means that he is trying to avoid himself from an awkward situation or to find

a solution to this problematic situation [10, 19]. "Defendant K. Kamilov's last words: "I have no objections to the trial, everything was conducted legally, I sincerely regret what I did, the shortcomings will not be repeated, I have come to my own conclusion, I ask you to provide relief" (from the minutes of the trial). It should be noted that such subjective factors and their impact are mainly observed in the first group (first-time offenders, willing to admit guilt and repent of their actions).

People are often referred to as "illustrators" because of the gestures, hand and body movements, and facial expressions that emphasize their words. The more emotional a person is, the more often illustrators are used to emphasize words. For example, putting one or both hands on the chest "is a good example for an illustrator. Hand gestures represent both manipulators (distracting gestures) and illustrators (word-emphasizing gestures) [10, 107]. That is, it serves to express both negative and positive emotions. Examples include shaking hands in the sense of anger, resentment, and insults, and shaking hands (negative appearances are commonly observed in the second group of defendants). Placing the hand on the chest, more precisely on the part of the body closest to the heart, is used to express these sincere, heartfelt words (such positive looks are usually observed in the first group of defendants). As a confirmation of these words, such actions of the defendants involuntarily respond (react) to them when the speech of the public prosecutor, defense counsel, witnesses, victim, etc. is narrated against them (at the same time, although they do not speak, ie their actions compensate for the speech). we have witnessed it many times.

CONCLUSION

It seems that human speech is an extremely complex, multifaceted phenomenon, and it is not possible to convey many aspects of it in writing [2].

Signs are an auxiliary tool for speech in the expression of ideas, as well as a shining example of the unique mentality of the Uzbek people. In this regard, the consistent study of Uzbek paralinguistic tools is gaining urgency [6]. At the same time, the conclusion of today's research is that "speech activity is a highly formed psycholinguistic process, the basic cognitive processes are inextricably linked with cognition, memory, thinking, imagination" [1, 142], and any communication process at the intersection of personality and speech. not only paralinguistic means, but also the natural movements of the body should not be neglected. In particular, the participation of the defendants in the trial, the manner of expression, the observation of verbal and nonverbal speech in combination with the natural behavior of the body and paralinguistic means, "completeness" of the completeness of psycholinguistic analysis, which leads to a fair decision. Direct participation in the trials allowed us to observe the speech of the accused (defendants) in detail, with a number of additional factors, and on this basis to study valuable aspects. We believe that these analyzes are useful in drawing conclusions based on the principle of prudence and impartiality in assessing the identity of the accused. Every word spoken in the process and the gestures associated with it, as well as the meaning of any action, are very important in the emergence of truth. While the trial is based on direct live communication, the defendants themselves and their words become the main source in "opening the case". Observing the defendants' speech as an object of psycholinguistic research leads to the accumulation of valuable information.

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