

# *Domestic discord, rocky relationships: semantic prosodies in representations of marital violence in the O.J. Simpson trial*



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**ABSTRACT.** This article addresses one of the central concerns of the forensic linguist: the analysis of courtroom discourse and the identification of potentially discriminatory linguistic practices within the criminal justice system. This critical linguistic analysis examines the semantic prosodies of some of the words and phrases used to describe domestic violence at trial, a key issue in the O.J. Simpson double homicide case. The article considers data from the 100,000-word opening arguments of the criminal trial and contrasts the respective lexical representations of domestic violence in the prosecution and defence arguments. Drawing on data from COBUILD Bank of English, the article studies the prosodies of the constructs presented by both sides in their conflicting representations of domestic violence against women in the courtroom context.

**KEY WORDS:** *corpus linguistics, courtroom discourse, domestic violence, forensic linguistics, O.J. Simpson, semantic prosody*

## *1. Corpus linguistics, connotation and semantic prosody*

Collocation, 'the company a word keeps' to use Firth's (1957) definition, can tell us a great deal about the semantic shape of a word or phrase, and one particular collocational characteristic, semantic prosody, provides the specific focus for this article. Stubbs (1996: 172) describes semantic prosody as revealing 'words [which] occur in characteristic collocations, showing the associations and connotations they have and therefore the assumptions which they embody'. His definition makes a useful distinction between semantic prosodies and collocations; for Stubbs, the semantic prosody of a word is manifested as a *pattern* of collocations which may be most usefully elucidated by reference to corpora of language use in context rather than at a more intuitive and impressionistic level, a view supported by Louw (1993), who also advocates the use of corpora as a way of exploring systematic patterning in semantic profiles.

This article draws on the work of Sinclair (1987, 1991) and later Louw (1993) in exploring the kinds of prosodic orientation which are attached to particular lexical choices. Sinclair (1987: 155–6) observes for example, that the verb *happen* is typically associated with unpleasant things such as accidents, and that similarly, *set in* appears to collocate frequently with negative events and states, such as ‘the rain set in’ and ‘problems set in’. Later work by Stubbs (1995a, b) has also highlighted a similar tendency towards negative semantic prosody of collocates in the use of the verb *cause*.

In seeking to describe the semantic prosodies of words, a resource such as a corpus is invaluable since it permits large-scale searches for patterns of word behaviour. A number of researchers in Birmingham have exploited this type of resource to conduct studies in precisely this way, often with a critical linguistic orientation to their work. Krishnamurthy’s (1996) study, for example, used corpus collocations to bring out racism in the contexts of use of the words *ethnic*, *racial* and *tribal* respectively; Caldas-Coulthard and Moon (1999) examined collocations of words relating to age and beauty and their gender-differential usage in newspaper reports to illuminate gender marginalization. Most recently, Hunston (1999) has explored the asymmetry of the words *deaf* and *hearing*, suggesting a ‘prosody of disadvantage and suffering’ in the use of *deaf* (Hunston, 1999: 10).

This article aims to build on this critical linguistic tradition by using the corpus to explore the semantic prosodies of references to domestic violence in the O.J. Simpson criminal trial. The lexical items selected for analytical attention are not the more obvious representations of Simpson as a *wife beater*, *batterer* or *abuser*, although the prosecution argument contains copious examples of these powerfully negatively-oriented formulations. Rather, the article takes some of the more subtle terms used by the prosecution to construct an image of Simpson as a violent man capable of murdering his wife. The final section of the article deals with the defence response to this presentation of Simpson, and examines some of their attempts to minimize and neutralize the negative prosodies evoked by the prosecution.

As an initial step in this analysis, I will first explore the role of lexis in constructing and reconstructing reality in the courtroom.

## *2. Reconstructing reality in court through lexical choice*

The principal role played by jurors is the adjudication of the plausibility of two (or potentially more) versions of events. Jurors in a criminal trial context are charged not with finding the truth in the midst of falsehood, but rather they are asked to decide the common-sense likelihood of one story being more convincing than another. In order to carry out the socially significant task of legal adjudication, jury members are predominantly reliant upon the testimony of witnesses and the spin put on that testimony by prosecution and defence attorneys respectively. The evidence presented often comes down to selective recall of events by both sides,

and the asking (or not asking) of the 'right' questions, which will elicit evidence of value to the side asking the questions.

However, in addition to control over the informational content of testimony and argumentation, a great deal of attention is also paid to lexical representations in courtroom talk. By carefully controlling and constraining the ways in which the actors and acts constituting the crime are formulated in court through particular lexical choices, it is possible for lawyers to convey a whole set of meanings beyond the strictly referential, denotational ones. Through the skilful exploitation of different layers of lexical meaning, lawyers are able to communicate more subtle information about victims, alleged perpetrators and crimes which is partisan in nature, without falling foul of the rules of evidence. In order to achieve this, lawyers must skilfully manipulate the grey area between denotational meaning, the relatively neutral representational depiction of an entity, and its more evaluative connotational meaning. By choosing lexical items which not only describe but also provide an evaluative slant, lawyers are able to formulate their representations in such a way as to emphasize the affective force of the lexical item selected.

The value of such a strategy is clearly illustrated by Danet (1980) who discusses the differential use of *baby* and *fetus* in a US trial. In her data, the two terms were used by prosecution and defence respectively, in the prosecution of a doctor who had carried out a late abortion. The prosecution argument was constructed around the life (and death) of a *baby*, and therefore represented a case of manslaughter, whereas the defence conceptualized the case in terms of a *fetus*; thus, they argued, since the fetus was incapable of independent life, there could have been no crime of manslaughter committed against it, rendering the trial inappropriate and unnecessary. In the end, the jury agreed with the prosecution formulation, and the doctor was convicted of manslaughter. This example is an apt illustration of the power of semantic categories and labels and the presuppositions which underpin them.

Drew (1992: 478) also discusses a (rape) trial, where the lawyer argues that the initial meeting between defendant and plaintiff took place in a *bar*, with all its potential connotations of sleaze and promiscuity. The defence, in contrast, prefer to refer to it as a *club*. Through a series of similar relexicalizations – the recasting of a concept in an alternative lexical representation – the defence lawyers construct elaborate scenarios which rely for their effect upon the jury understanding the connotational loading of the lexical items chosen. A corpus-based analysis of semantic prosody is clearly of value in gaining an understanding of precisely what those connotations might be in the contextualized collocations of a particular word.

For the majority of the trial, lawyers have only partial control over lexis, insofar as any testimony presented for the scrutiny of the jury must be elicited from witnesses on the stand. Although lawyers are able to control the lexical content of the first part of the Q-A adjacency pair, they have little control over the witness's response in terms of the lexical items employed. Thus, relexicalization

must occur as a reactive post hoc process, repairing the witness's turn, and typically occurs at the 'F' move of the exchange, as in the following example:

- |   |                          |   |
|---|--------------------------|---|
| 1 | Lawyer initiate:         | Did you have an <i>argument</i> about it?                       |
| 2 | Witness response:        | Yeah, we did. He was always jealous of me talking to other men. |
| 3 | <b>Lawyer follow up:</b> | <b>So you had a <i>fight</i> that night about seeing him.</b>   |
| 4 | Lawyer initiate:         | What happened when you got home.                                |

In turn 3 here, the lawyer is able to recast the incident, first presented to the witness as an *argument* in the initial turn, as something potentially more violent and more physical through the use of the ambiguous term *fight*. In a courtroom dispute over the existence or otherwise of domestic violence in a relationship, as in this instance, such a distinction may be of some value in the construction of a convincing case. By following the third turn with a further question serving to refocus attention on a subsequent event, the lawyer gives the witness no opportunity to contradict this potentially significant reformulation. There is some evidence that semantic 'contagion' is possible (Danet, 1980: 206), whereby witnesses take up some of the specific lexical themes presented by the lawyer and adopt them in their own testimony. However, the witness examination phase of the trial is generally less predictable in terms of lexical content than other parts of the trial where discourse is solely controlled by the lawyer.

One such phase is the opening argument, where lawyers are able to address the jury directly, without eliciting testimony from the witness. The opening argument (along with its closing counterpart) represents the only real opportunity for lawyers to overtly and explicitly outline the case for their side. The opening argument is a powerful opportunity for lawyers from each side to map out the 'semantic environment' – to use Sinclair's (1991) term – of the crime, the victim and the alleged criminal, in other words to construct a framework into which the witnesses and physical evidence will be placed as the trial progresses. The aim for the trial lawyer is to establish a framework that fulfils two criteria critical to the successful contextualization of the subsequent evidence. First, each side must set out the individuals who constitute the cast of the piece. Drawing on the pre-existing schematic world-knowledge of the jurors, lawyers need to present the victim, the perpetrator and supporting actors in a way which makes sense to jurors; second, they must construct a narrative of the events of the crime which is plausible and convincing to the jury. As O.J. Simpson's lead attorney Cochran wrote in his post-trial memoirs:

The story you present . . . must be a clear, coherent, credible framework into which the actual evidence and testimony presented will plausibly fit. To succeed, your story must . . . be more credible and plausible than the other side's version. The jurors then, must trust the lawyer as a 'storyteller'. (Cochran, 1996: 237)

As in Danet's research which dealt with abortion, this article also focuses on a highly emotive issue: the discourse of domestic violence. It takes as its data the 100,000 words of opening argument from the double homicide trial of O.J.

Simpson. Simpson was accused of the murder of his ex-wife, Nicole Brown Simpson and her male companion, Ron Goldman. In a trial lasting 9 months and culminating in Simpson's sensational acquittal, one of the central tenets of the prosecution case was that Brown Simpson was the victim of systematic and escalating domestic violence at the hands of her ex-husband Simpson.

The prosecution case was that he had been an aggressive and violent husband, and that a precedent of violence towards Nicole had been established during their marriage that culminated in the double murder of both Nicole Brown and Ron Goldman in a jealous rage killing. For lead prosecutor Marcia Clark, the case – and the opening argument presentation of it – was a straightforward one with the issue of domestic abuse at its core: 'Chris [Darden] would lead off with the *why* of the crime, the motive: domestic violence. And I would follow with the *how*. A clean one-two punch' (Clark, 1997: 265–6). The defence, however, disputed the claim that Nicole was systematically abused by her husband and had an alternative version of events which presented Nicole Brown Simpson as a manipulative and promiscuous woman.

The groundwork for these conflicting images of the couple and their relationship, in and out of marriage, was laid during the opening argument phase of the criminal trial and was constructed on the basis of a number of significant lexical choices depicting Nicole and O.J. respectively, as well as the violent acts alleged to have characterized their marriage. This article will explore some of the conflicting lexical representations of the couple and their relationship in the two opening arguments, drawing on collocational and connotational insights from the COBUILD Bank of English.<sup>1</sup>

### 3. *The case for the prosecution*

#### 3.1 ENCOUNTERING O.J.

In the prosecution opening statement, Simpson is portrayed as an individual with a sharp contrast drawn between his public and private personae. In order for the jury to be able to contemplate Simpson as a potential double murderer, it is crucial for the prosecution to deconstruct the professional image of him as a football icon and movie star. Prosecutor Darden reminds the jury that although:

. . . we've seen him play football or USC, we watched him thrash LA playing the Rose Bowl . . . we watched him leap turnstiles and chairs and run to airplanes in the Hertz commercials and we watched him with a 15-inch Afro in *Naked Gun 33 1/2* (*sic*) . . . and we came to think that we know him, *what we've been seeing ladies and gentlemen, is the public face, the public persona, the face of the athlete, the face of the actor. It is not the actor who is on trial here today.*

For the prosecution, much of the trial is concerned with the systematic deconstruction of this prevailing (and overwhelmingly *positive*) 'public' persona of the Simpson, and the discursive reconstruction and re-presentation of the defendant in his alleged 'private' persona. In this context, the private persona depicted by prosecutor Darden is far less attractive. One of the alternative images which the

prosecution chooses to construct casts Simpson in the role of the jealous, possessive husband obsessed by his ex-wife:

That is the face we will expose to you in this trial, the other side of O.J. Simpson, the side you never met before. We will expose in this trial and who to you in this trial (*sic*) the other face, . . . the one that Nicole Brown *encountered* almost every day of her adult life, the one she *encountered* during the last moments of her adult life; the same face Ronald Goldman *encountered* during the last moments of his life.

By claiming to ‘expose’ Simpson’s character, the prosecution is attempting to convey both the denotational meaning of the word, in other words, to reveal or uncover, but also its sense of negative connotation, insofar as what is ‘exposed’ is frequently corrupt, illicit or morally frowned upon. The verb chosen – *encounter* – is also of some significance, not least because it is used to refer rather uncharacteristically to a person (Simpson) rather than an inanimate entity. It also carries a negative semantic prosody, which may be exemplified by examining the semantic profile of the word in the corpus. A search of the corpus reveals that the verb *encounter* collocates strongly with a set of negative phenomena, including the following:

male hierarchy and regular	encounter	<b>prejudice</b> from colleagues
together a new Soviet Union seem to	encounter	<b>new obstacles</b> . Today, in
and car. Even real hotel managers	encounter	<b>problems</b> . Earlier this year,
and a house, then you’re going to	encounter	<b>a glass ceiling</b> in your career
prepared for the <b>hazards</b> they will	encounter,	whether it’s radiation, toxic
the coalition forces continue to	encounter	<b>pockets of stiff resistance</b>
forces, a demand that is sure to	encounter	<b>fierce opposition</b> from within
of the medical <b>risks</b> they might	encounter	at their intended destination

In addition to their negative prosody, these collocates also form sub-groups which share a number of other characteristics; both *hazards* and *risks* – used here in a scientific sense – represent unpredictable dangers, while *resistance* and *opposition* have pre-modifiers (*stiff* and *fierce* respectively) which indicate violence.

By representing Simpson as the object of *encounter*, the prosecution is able to evoke both the negative prosody and the sense of unpredictable violence conveyed by the verb and its collocates. This also ties in with another conceptualization of Simpson used by the prosecution throughout their closing argument on more than 20 occasions (see Cotterill, 1998). Simpson is portrayed using the metaphor of a ticking time-bomb, unpredictable, violent and essentially uncontrollable. This would appear to be a good example of the phenomenon described by Louw (1993: 172), whereby semantic prosodies may be supported by metaphorical constructs which serve to reinforce the message conveyed. As he notes:

. . . one even finds that the assistance of a metaphor can be enlisted both to prepare us for the advent of a semantic prosody and to maintain its intensity once it has appeared.

The following extract illustrates one example of the prosecution time-bomb metaphor:

*the fuse is getting shorter, the fuse is getting shorter, and there is about to be an explosion . . . he is about to lose control like he did on those earlier occasions. And sure he didn't kill her on those earlier occasions in October of '93 or in 1989. But that was then and back then the fuse was a lot longer. But now the fuse is way short and it is awfully short.* (Darden, prosecution closing argument)

The combination of lexical items with strongly negative semantic prosodies (in the opening statements) and powerfully evocative metaphorical constructs (in the closing arguments) created a discursively coercive framework, both prospectively and retrospectively, for the testimony elicited from witnesses. This not only seems to have made an impact on jurors in the trial, but the daily soundbites reported by the reporters in the press gallery also frequently echoed these themes.

The issue of control – gaining it, maintaining it and, as Darden suggests above, ultimately losing it – is the principal depiction of Simpson's marriage in the prosecution opening, both in terms of its frequency of use and the significance attached to it by the prosecution. Their claim is that the domestic violence which Nicole Brown suffered as a result of her 'encounters' with Simpson were motivated by Simpson's desire to control his wife, and that it was this need to control which eventually led to her murder.

Just as *encounter* can be seen to demonstrate a tendency towards a strongly negative semantic prosody, so the notion of *control* appears to have a similarly pronounced negative profile. This will now be explored and exemplified using evidence from the corpus.

### 3.2 CONTROLLING NICOLE BROWN SIMPSON

The theme of control recurs repeatedly in the prosecution opening argument, the word *control* occurring on no fewer than 66 occasions, both in normalized and verbal forms. Simpson is depicted as having controlled his wife in a number of different ways, including the following:

- O.J. Simpson prevented his wife from having a job outside the home, and thereby from having any measure of financial/personal independence;
  - He used his wealth to gain power over her by giving her money and gifts;
  - He interfered with her relationships and friendships, choosing her friends for her; Simpson stalked his ex-wife after their separation and, later, divorce;
  - He was obsessively jealous of her subsequent relationships with other men.
- (Adapted from Gaines, 1999.)

The following pair of extracts show representative samples of the prosecution opening which demonstrate both the extent and context of use of the word *control*:

And as the years went on and as they continued to date and as he gained more and more *control* over her, the more *control* he gained, the more abusive he became. As you listen to the evidence in this case, you're going to be hearing evidence regarding domestic abuse, domestic violence, stalking, intimidation, physical abuse, wife beating, public humiliation. As you listen to the trial and you hear this evidence and see

this evidence, please keep in mind that all of these different kinds of abuse were all different methods to *control* her.

He killed her because he couldn't have her; and if he couldn't have her, he didn't want anybody else to have her. He killed her to *control* her. *Control* is a continuing thing. It was a continuing thing, the central focus of their entire relationship, by killing Nicole, this defendant assumed total *control* over her. By killing her, he committed the ultimate act of *control*.

The word *control* is systematically used by the prosecution to construct an image of Simpson as a man who is obsessed by an overwhelming desire to control his wife, to such an extent that he was prepared to murder her in order to prevent her from having a life of her own once they were divorced. Not only is it used frequently, but it also tends to occur in clusters, as in the second extract above. This concentration of occurrence, achieved predominantly with repetition of *control* rather than ellipsis or anaphoric reference, creates a claustrophobic image of the Simpson marriage reflected in the lexical patterning throughout the prosecution opening.

### 3.3 THE SEMANTIC PROFILE OF *CONTROL* – CORPUS EVIDENCE

An analysis of the collocational profile of the verb *to control* in the corpus reveals a number of characteristics of significance to the present discussion. Two aspects are of particular relevance; first, the typical agent of control and second, what or whom commonly represents the object of control. These will be dealt with in turn.

Evidence from the corpus suggests that the kinds of people who typically control tend to consist of authority figures, often representatives of official bodies of some kind, for example the police, the army, or the government. Thus, their warrant to control is legitimated to a great extent by their official position and societal status. The following examples from the corpus illustrate this tendency:

<b>the African government</b> is failing	to control	its police in the gold-mining
but <b>Mr Arafat's</b> ability	to control	the PLO's unruly factions
<b>Police</b> trying	to control	the violence have imposed curfews
<b>Washington</b> is taking new measures	to control	weapons exports to countries such
<b>security forces</b> were attempting	to control	the situation with teargas and
<b>Labour government</b> would aim	to control	industrial dumping in the North
new powers for <b>UN observers</b>	to control	Iraq's arms capability. President

If we now turn our attention to corpus evidence of what or who is typically controlled, it becomes clear that the majority of objects of control are generally held to be things that represent a danger or a negative influence of some kind. Some corpus examples of the lexical fields these phenomena fall into include:

*warfare/weaponry*

aircraft to overfly Iraq.	To control	<b>chemical weapons</b> , Iraq would be
Sri Lanka to recommend measures	to control	<b>terrorist activities</b>
for two days of talks on how	to control	<b>arms sales</b> . Together, the United

*economic problems*

means and to simultaneously	control	<b>inflation</b> and produce enough trade
for everyone else.	To control	<b>costs</b> . Bill Clinton says he would
would undo our attempts	to control	<b>spending</b> on state pensions.

*medical problems*

has announced a new programme	to control	<b>the outbreak of cholera</b> in Latin
appealed for more foreign help	to control	<b>the spread of disease</b> among

It appears then that control is legitimate if two criteria are fulfilled; first, that the controller has some degree of official, externally-validated sanction to take on this role and second, that control is associated with events and conditions which are generally perceived to be negative and/or dangerous, and as such need be controlled for the greater good. In conceptualizing Simpson as a controller of his wife, the prosecution presents Simpson's behaviour as entirely unjustified and unreasonable, and constructs Simpson as a man excessively obsessed with discipline and authority.

One further group of collocates which emerged from the corpus search of the verb *control* demonstrates another context where *control* seems entirely justifiable. It seems that controlling *oneself* in a variety of ways is a laudable, if challenging, undertaking. This group of collocates deals with the controlling of various emotional states and conditions:

*emotions*

hard it is for you	to control	<b>your impulses</b> when you feel angry or unhappy.
large. Struggling	to control	<b>my emotion</b> , I asked him to take off
of Sally's mother	to control	<b>an addiction</b> needed to be differentiated from
John was struggling	to control	<b>his temper</b> , and Margaret knew he would resign

This small sub-group reveals an interesting glimpse of a potentially significant gender difference in the type of collocates associated with self-control. The first and second lines, which deal with female control, and the fourth, which deals with a male control issue, seem to highlight a potential gender difference in the connotations attached to the concept. If the perception here of women controlling their emotions and men controlling their tempers is more generalized, then this seems an appropriate conceptualization for the prosecutors in the Simpson case, who are attempting to portray Nicole Brown Simpson as the emotionally vulnerable wife and O.J. Simpson as the violent and abusive husband who finally, in prosecutor Darden's words, 'loses control' of himself. A more in-depth search of the corpus reveals some interesting gender differences in precisely which aspects of themselves men and women seek to control. These differences will now be explored and exemplified.

### 3.4 GENDER DIFFERENCES IN THE CORPUS EVIDENCE

A corpus search of the string 'control + over + her', which accounted for 18 instances of *control* in the prosecution opening, returned only 3 lines which dealt with individuals (male) controlling other individuals (female). Nevertheless, the

context of use of these occurrences is noteworthy; one of the three represented the asymmetry of the parent-child relationship, with the remaining 2 examples referring to contexts of domestic abuse:

. . . in the end, after I started having therapy, I realized it was actually all to do with me. The one thing I had never bargained on was that my girlfriend would report me – I actually thought I had *control over her*. But one night we had a row, I laid into her and she ran to her sister's.

His mother became an alcoholic. Ashby, her youngest son, and his brother Clive, found it difficult to forgive her for her weakness in the face of a boorish husband who demanded complete *control over her*.

The sole occurrence of 'control + over + him' was in the form of a generic-he reference to the potential dangers of controlling a child's development:

. . . as soon as one exerts *control over him*, his natural growth will be violently interrupted.

For the string 'control + her', the corpus returns 36 examples, of which a representative selection of 12 lines is presented below:

felt weak and powerless, unable	to control	her <b>life</b> but at the same time
from taking the drugs needed	to control	her <b>condition</b> . It gets so bad
daughter Danielle, 12, struggled	to control	her <b>emotions</b> . Fighting back
the daytime.' Laura could barely	control	her <b>excitement</b> . Sit down and
especially for Nurse who could not	control	her <b>outrage</b> , even when she knew
of Michelle as she struggled	to control	her <b>ragged emotions</b> . No
becomes preoccupied with trying	to control	her <b>weight</b> , while the healthy
she will very likely be unable	to control	her <b>spending</b> ; once the gambler
was currently taking medication	to control	her <b>mood swings</b> and auditory
her life, she had vowed	to control	her <b>illness</b> in the same way of
of her mother's inability	to control	her <b>alcoholism</b> . In the
more pills and although unable	to control	her <b>feelings</b> , Edina knew her

The female-oriented control seems to run the gamut of feelings to medical conditions, and includes references to emotions, mental illness, gambling and alcohol addictions and diseases of various kinds. If this list is contrasted with the male-oriented one, a very different set of references appears to apply to male issues of control:

He can't win at blackjack, can't	control	his <b>temper</b> and now he's banned
van Dehn,' Drago said struggling	to control	his <b>rising temper</b> . I'm afraid
of the Revenue, was hardly able	to control	his <b>rage</b> . The suggestion that
face drawn taut from his effort	to control	his <b>fury</b> , he leapt from the van
a fight with her dad Vic. Unable	to control	his <b>anger</b> , Vic lashes out and
cards have got to stop. He must	control	his <b>aggression</b> and channel it
Grant Fox. He is a man who can	control	his <b>temperament</b> and kick goals
when she could be in a position	to control	his <b>impulsive nature</b> . He
it was all over. Struggling	to control	his <b>machine</b> he careered through
on because he can't	control	his <b>drinking habits or his women</b>



Cycles of violence are also protracted and increasing in brutality:

start, breaking the <b>decades-long</b>	cycle of violence.	Colombia's new
is a couple who were in a <b>repeating</b>	cycle of violence,	where the workers
even if that means an <b>escalating</b>	cycle of violence.	For National Public
feels powerless to halt the <b>worsening</b>	cycle of violence.	Alone, Lebanon faces

In the prosecution opening, both elements of the *cycle of violence* are highlighted in the context of Simpson's escalating abuse of his wife. Prosecutor Darden begins by alluding to the escalation of the violence in a quantitative sense. He uses the verb *punctuate* to evoke the fact that Simpson's attacks on his wife grew not only more frequent but also more violent:

And the marriage was a stormy marriage and it was a marriage punctuated by acts of violence and that violence would always be followed by an apology. He would apologize, give her jewellery, buy her flowers. He would promise to do better, promise, promise to maintain control of himself and he would promise not to do it again. And then those acts of violence would be followed by additional acts of violence, and it became a *cycle*; violence, apologies, a period of quiet and calm, then violence and apologies, quiet and calm, violence, apologies, quiet, calm, a *cycle of violence* that characterized their relationship.

What we are suggesting, and the evidence will show, that there was a *cycle of violence*, a *cycle of violence* and the dominant theme in their relationship and in that *cycle* and the ultimate objective was always *control*, *control*. (Darden, prosecution opening argument)

In the first extract, Darden reflects the cyclical nature of Simpson's alleged behaviour (violence – apology – calm) with his echoic repetition of these themes. This is a construct revisited in the prosecution closing, where Darden again uses the time-bomb metaphor, referring to Simpson's slow-burning fuse:

This relationship between this man and Nicole, you know, it is like the *time bomb ticking* away. Just a matter of time, just a matter of time before something really bad happened. . . . You know, you meet people in life and there are people with *short fuses*. You know, they just *go off*. And there are others with *longer fuses*, you know, takes them a little while longer to *go off*. And relationships are the same way sometimes, you know, especially a violent abusive relationship like this one. This thing was like a *fuse*, a *bomb with a long fuse* . . . that *fuse is burning* in 1985. . . . The *fuse is lit*. It's *burning*, but it's a *slow burn*. We next go to 1989 . . . we have to go back in the past to see how we got to where we are today because when you do, you see a pattern developing here. (Darden, prosecution closing argument)

Darden's use of the dramatic present tense in this extract has two effects. It simultaneously evokes the familiarity of this type of behaviour in the experience of the jurors – 'you know, you meet people in life and there are people with short fuses . . .', but also serves to place the jurors within the time-frame and the context of the events recounted – 'the fuse is lit. It's burning, but it's a slow burn. We next go to 1989 . . .'. In this context, Simpson murdering his wife in a jealous rage is presented as an entirely logical progression of events in the *cycle of violence*:

As you listen to the evidence, you will see that his decision to kill finally was merely a *final link in a progressive chain* of abusive and controlling conduct, and it was a *chain* that consisted of fear and intimidation and battery and emotional and mental abuse and economic abuse and control and stalking. And you'll see that there was a common scheme and common plan in all of this, and that was to control, to control her. It was all designed just to control her. And in controlling her, it was the private man, private O.J. Simpson, it was the defendant who committed that *final ultimate act of control*.

The issue of escalation was to become of great significance in the subsequent evidential stage of the trial, as the prosecution attempted to establish a motive for the killings. An expert on domestic violence was called to testify that, along with some obvious situational trigger for the homicide, the essential criterion in cases where an abusive spouse eventually kills is 'a pattern of escalating violence'.

The significance (and the cleverness) of portraying the events as cyclical in nature is reinforced by the prevalence of a 'cyclical theory of battering' (Walker, 1979) in the literature on domestic violence. Greene et al. (1985: 207) explain that there is a 'three-phase cycle typical of many battering relationships . . . the incidents increase in number and severity'. By portraying the events leading up to Nicole Brown's murder in this way, the prosecution intention was to convince the jury that her killing was the natural conclusion, even an inevitability, in the progression of violence. In the final event, however, Walker declined to testify for the prosecution, arguing that Simpson's behaviour did not constitute a classic example of the cyclical pattern of behaviour, thereby diluting somewhat the effect they had worked so hard to create.

#### 4. *The case for the defence*

The defence response to the prosecution opening (since, in the adversarial system, defence follows prosecution) was vigorous and consisted of a systematic refutation of each of the prosecution's contentions. In particular, the defence were faced with a problem in trying to explain away the issue of Simpson's alleged attacks on his wife, and the representation of them as an escalating cycle. On a number of occasions, Nicole had called the police to report domestic abuse by her husband, including a 911 call to the emergency services which was played in open court during the trial.

The prosecution evidence did seem to support the two central criteria of a 'cycle of violence' – first, that there had been repeated acts of violence, and furthermore the nature of these attacks had grown steadily more serious over the years, to the point where Nicole Brown had left photographs of her bruised face and letters of apology from O.J. Simpson in a safety deposit box (which was opened after her murder) indicating that if she was killed, the perpetrator was likely to be her abusive husband.

The defence needed to establish a credible counter-claim such that the 'cycle of violence' was in fact:

- (a) neither a 'cycle';
- (b) nor was the 'violence' physical in nature.

They attempted to do this through the use of a series of carefully selected lexical choices of their own, involving the manipulation of semantic prosodies, and an analysis of these terms will make up the remainder of this article.

#### 4.1 UNRELATED INCIDENTS

One of the ways in which the defence attempts to subvert the idea of Simpson as a serial wife beater is by conceptualizing the alleged assaults against Nicole Brown Simpson as *incidents*. This representation aims to de-emphasize the systematic nature of the abuse, and thereby reduce the damage to Simpson's credibility, since it (presumably) presents a 'better' image to be a husband who occasionally loses control and beats his wife *impulsively*, than to be seen as one who repeatedly assaults her *compulsively*. An example of this phenomenon is illustrated below:

Two *incidents* they talked about, the one *incident* involving the man Joe Stellini was at Mezzaluna and the other *incident* was a restaurant called Tryst and in both *incidents* there was problem, no fight . . . Mr Simpson went home with his wife that night, so that this was not any *incident* where they were stalking or fighting, anything like that. There was no obsessive behaviour. I hope to put those in some kind of perspective. Mr Darden talked in his opening argument about the April 1985 *incident* in which some damage was done to a vehicle, and as I understand it, the testimony will be that there was not any *incident* in 1985 because Miss Nicole was pregnant, had a c-section later in that year and they didn't have any situation like that. They did have some discussion apparently maybe in '86 or '84, some damage done to a car and she was not in that car. She was not struck on that occasion, so I think you will find that *incident* of not great consequence.

The formulation of the argument that Nicole Brown Simpson was not assaulted in 1985 because she was pregnant is perhaps of questionable value in the defence attempt to portray Simpson as a benevolent husband. The defence attorney in this extract attempts to downplay the severity of the 'incident' by putting it 'in some kind of perspective'.

In the second extract, the insignificance of the *incidents* is further mitigated by the use of the verb *get along* which minimizes the severity of the problem and, through the use of the habitual present, underlining the ubiquity of divorce:

They may try to bring out *incidents* about this marriage, and these people did divorce in 1992, and unfortunately in our society there are far too many divorces. *People don't always get along* and we sometimes get divorced.

The corpus evidence for the relative neutrality of *incident* supports this presentation, insofar as more generalized usage of the term seems to emphasize the random rather than the systematic nature of events. This is demonstrated by the collocate list in Table 1, and by the selected examples below, which include a number of allusions to the idea of 'unrelatedness':

TABLE 1. Collocate list for incident from the Bank of English

Collocate	Frequency	MI score <sup>2</sup>
<i>unrelated</i>	7	8.276571
submarines	5	7.808070
<i>isolated</i>	20	7.261989
srinagar	3	7.252760
<b>arson</b>	3	7.149991
<b>spate</b>	4	7.099048
involving	27	6.848210
<b>violent</b>	27	6.677456
racial	20	6.642780
<i>separate</i>	27	5.900674
investigate	7	5.861293
occurred	12	5.758393
<b>minor</b>	12	5.693696
<b>unpleasant</b>	4	5.687138
<b>terrorist</b>	6	5.635717

wrong this time. It was a series of the PLO as a result of one In what's said to be the shot down today in two Friends of the Mentally Ill, said

**unrelated incidents**  
**isolated incident**  
**first incident**  
**separate incidents**  
**sporadic incidents**

and falls and it was the attack on Israel by of its kind, gunmen over the Persian Gulf of criminal behaviour

Despite the collocate *spate* in this list, the suggestion that the *incidents* which took place in the Simpson marriage were unrelated and unsystematic appears to be reasonably logical if we consider it in the context of the corpus evidence. The defence attempt to suggest that these *incidents* were of a non-violent nature seems less satisfying, however; despite the presence of the collocate *minor* in the list above, there are also a number of collocates (including *violent*, *unpleasant* and *terrorist*) which suggest a high level of violence rather than serving to minimize connotations of aggression. Thus, the use of corpus evidence on *incident* presents a somewhat mixed picture.

To support the idea that Simpson's violence towards his wife is a series of unconnected *incidents*, the defence opening argument also uses an interesting grammatical strategy to detach Simpson from responsibility for the events reported. This involves the removal of agency from a number of references to the attacks and aims to de-emphasize Simpson's role. This is also perhaps a side effect of the use of *incidents* to describe them, since (as can be seen in the collocate list above), *incidents* collocate with the intransitive verb *occur* reasonably frequently.

In the defence opening, there are numerous examples of this type of unattributed event, either through the use of intransitive verbs or through passivization, as in the following examples:

He [Darden] told you how, for instance, that this was like a terrible marriage and that all kinds of bad things *happened*.

Apparently maybe in '86 or in '84, some damage *was done* to a car and she was not in that car. She *was not struck* on that occasion, so I think you will find that incident of not great consequence.

Let me say up front that Mr Simpson is not proud at all of the fact that he and his wife got into an altercation and she *was struck* on January 1st 1989.

#### 4.2 RELEXICALIZING FROM PHYSICAL TO VERBAL INTERACTION

This final extract from the defence opening also contains an example of the third strategy employed by the defence in minimizing the semantic force of the prosecution opening. By using the word *altercation*, defence attorney Cochran is attempting to recast the domestic violence as occurring at a verbal rather than a physical level. A further example of *altercation* illustrates Cochran's attempts to separate the two concepts in the minds of the jury:

You understand that the fact that someone has an *altercation* with one's wife in 1989 is not capable of being predicted whether that person would kill her or be involved in any other fights or whatever.

The theme of verbal debate rather than physical violence characterizing the Simpson marriage is developed by Cochran through the use of a series of verbal process nominalizations – *dispute*, *discussion* and *conversation* respectively, as exemplified by the following pair of extracts:

They did have some *discussion* apparently maybe in '86 or in '84, some damage was done to a car and she was not in that car. She was not struck on that occasion, so I think you will find that incident of not great consequence.

And there was a *dispute* because when Miss Brown Simpson would ever see Paula Barbieri's picture, she was very upset about that, and Mr Simpson, on this date, I believe, saw a picture of somebody that she had dated during the time they had been separated and he said, gee, what is fair for me will be fair to you and they got into this *conversation* that went over a period of time. At some point there was *just a verbal conversation*, it escalated, and tempers flare and *that sometimes happens* with married couples. That doesn't make it right but sometimes *it happens*.

In this final example, although what exactly is entailed in the 'escalation' of the conversation and the 'flaring' of tempers is never explicitly outlined for the jury, the presumed violence which ensued is mitigated by the dismissive intransitive verb *happen*. As Sinclair (1991) points out, however, this is frequently indicative of negative events and outcomes. All of these terms – *dispute*, *discussion* and *conversation* – express verbal events. However, a corpus analysis of the context of use of the three reveals some interesting differences between them (see Table 2).

Referring to the events of that evening as a *dispute* does not seem to be a wise depiction for the defence to choose, on the basis of collocational prosodic information from the corpus. The top half of the collocate list, as indicated in Table 2

below, shows that *disputes* are strongly collocated with *domestic*, and that these disputes are typically ongoing and detrimental in nature:

TABLE 2. Collocate list for dispute from the Bank of English

<i>Collocate</i>	<i>Frequency</i>	<i>MI score</i>
demarcation	3	10.830622
<b>longstanding</b>	3	10.313171
territorial	9	9.380506
<b>bitter</b>	19	8.296938
<b>domestic</b>	14	7.216790
<b>damaging</b>	3	6.889786

Potentially more damaging still to the defence depiction of the Simpsons' marital problems, is the tendency for *domestic disputes* to be associated with violence and police involvement. If the defence aim is to defuse connotations of this type in the minds of the jury, referring to events as *domestic disputes*, as Cochran does on several occasions, does not appear to be a particularly wise choice of conceptualization, as Table 3 shows:

TABLE 3. Collocate list for domestic dispute from the Bank of English

<i>Collocate</i>	<i>Frequency</i>	<i>MI score</i>
domestic	15	3.871411
a	14	3.055454
<b>police</b>	3	1.707849
this	3	1.461717
<b>victim</b>	2	1.410312
called	2	1.381682
in	5	1.340077
they	2	1.019269
that	3	1.014107
greenbank	1	0.999952
<b>slain</b>	1	0.999787
<b>hunted</b>	1	0.999413
tyne	1	0.999189
<b>hostage</b>	1	0.998654
<b>stabbed</b>	1	0.998556
<b>widow</b>	1	0.998182
brighton	1	0.998088
referred	1	0.997141
<b>drunk</b>	1	0.997137
<b>assault</b>	1	0.996520
involving	1	0.996290
describe	1	0.995881
<b>threatened</b>	1	0.994708
<b>charged</b>	1	0.992485

A few indicative concordance lines from the corpus for *domestic dispute* further illustrate the defence's problem:

<b>held hostage</b> following a	domestic dispute	THE SUN and THE DAILY MAIL
crime. He was <b>slain</b> in a	domestic dispute	They've charged his brother-in-
<b>below the heart</b> during a	domestic dispute	at Greenbank, south of Brisbane,
BOONDALL man involved in a	domestic dispute	yesterday <b>threatened police</b> with
a man was <b>stabbed</b> in a	domestic dispute	at Brighton on Brisbane's bayside
<b>officers</b> who'd gone to a	domestic dispute	This guy was <b>drunk</b> and it looked
for the <b>assault</b> describe a	domestic dispute	call earlier that evening. It was

The second term of reference used by the defence – *discussion* – seems to belong more consistently to the realm of verbal and non-violent interaction. The collocate list for *discussion* (Table 4) overall emphasizes talk on an intellectual and professional level and generally has a positive prosody – in other words 'it's good to talk'.

TABLE 4. *Collocate list for discussion from the Bank of English*

<i>Collocate</i>	<i>Frequency</i>	<i>MI score</i>
<b>roundtable</b>	4	9.930241
xxx	4	7.823116
extraterrestrial	3	6.755896
<b>negotiation</b>	16	6.738579
hmso	3	6.585954
topic	24	6.542881
<i>heated</i>	18	6.521817
initiate	3	5.939121
<b>informal</b>	11	5.865706
<b>consultation</b>	13	5.824900
<b>philosophical</b>	7	5.733714
preceding	4	5.548095
lengthy	9	5.528704
buffet	4	5.495813
<b>forum</b>	13	5.408829
<b>tutors</b>	5	5.397569
<b>rational</b>	6	5.395013
extracts	3	5.375986
<b>lively</b>	11	5.371982
<b>timely</b>	4	5.331015
<b>engaging</b>	4	5.317338
teddie	4	5.277071
dis	3	5.215174
<b>stimulating</b>	4	5.134348

The following selected lines illustrate this orientation; perhaps due to the predominance of journalistic texts in the corpus, many of the concordance lines relate to the political sphere:

conventional arms cuts, now under	discussion	in Vienna. The proposals were
be seen as contributing to a wider	discussion	on how monetary union between
And he said there'd be further	discussion	to try and agree on a common
get a family decision, a community	discussion	on what to do when the child isn't

The collocate list for *discussion* also seems to underline the positive semantic prosody associated with a discussion (see Table 4). The only real exception to this tendency is the collocate *heated* which, in spite of its potential allusions to aggression, remains at the level of verbal rather than physical interaction, referring in the corpus to predominantly political and business contexts, as in these examples:

and then spent an hour locked in a	heated discussion	with backbenchers.
calls from Riyadh. Once, during a	heated discussion	with Moore over centcom

Of the three terms, *conversation* is perhaps most positive in terms of its semantic prosody, with a preponderance of collocates expressing socially oriented discourse with no element of threat or violence. The overwhelming majority of the evaluative adjectival collocates – even with a possible euphemistic interpretation of *animated* – imply a positive prosody as the collocates picture in Table 5 shows.

TABLE 5. *Bank of English 'picture' of conversation*

snatches	overhear	taped	NODE	piece	peppered	follows
transcript	snatches	<b>animated</b>	NODE	turns	bengali	bus
<i>enjoys</i>	topic	<b>meaningful</b>	NODE	between	recorded	princess
engage	steered	<b>stimulating</b>	NODE	unintellig	encouraged	friend
engaged	directing	lengthy	NODE	alleged	impossible	bar
struck	thread	earnest	NODE	pieces	someone	phone
tone	resumed	<b>intimate</b>	NODE	starts	suddenly	include
listening	sustain	<b>polite</b>	NODE	with	appeared	woman
constant	engage	<b>casual</b>	NODE	model	somebody	husband
recording	topics	sample	NODE	continued	music	remember
strike	excerpt	<b>intelligent</b>	NODE	turned	mdnm	earlier
tape	unintellige	background	NODE	took	place	having
version	<i>enjoys</i>	<b>pleasant</b>	NODE	among	french	girl
details	recalled	telephone	NODE	soon	isn	became
having	engaged	<b>everyday</b>	NODE	about	seems	main
result	entering	phone	NODE	along	mx	hour
join	<i>enjoying</i>	<b>friendly</b>	NODE	became	himself	couldn
trouble	deep	private	NODE	without	turned	gone
middle	loud	criminal	NODE	finally	friends	25
end	cinema	<b>innocent</b>	NODE	led	paul	young

The following representative concordance lines illustrate this picture:

TV networks in apparently <b>relaxed</b>	conversation	with news presenters who have
immediately engaged in <b>animated</b>	conversation,	and I faded into the
to France and it was a <b>pleasant</b>	conversation	I recall. He told Siegel:
I'd been <b>enjoying</b> our	conversation	so much that I'd forgotten I

Despite a number of lines that indicate criticism of conversation considered to be 'unintelligent', there is no suggestion in the corpus that *conversations* involve any degree of violence or aggression. For the defence therefore, it constitutes the most appropriate representation of events in the Simpson household of the three.

The profiles of *dispute*, *discussion* and *conversation* in terms of their respective semantic prosodies appear to support the view that these were highly intelligent choices for the defence to have made in their attempts to relexicalize the Simpson marriage as a non-violent one.

### 5 *From representation to interpretation*

Any trial jury faces a difficult task; in the foreign setting of the courtroom, both individually and collectively, jurors must sift through evidence and argument in an attempt to determine the innocence or guilt of the defendant. In such an unfamiliar environment, the value and impact of the opening argument may be considerable. The conceptual framework presented during openings forms the foundation of the remainder of the trial, and it is in this context that the evidence presented subsequently is to be considered. The lexical choices made by lawyers in their opening arguments are therefore potentially of great significance in orienting the jury in their consideration of the evidence.

The jury in the Simpson case was presented with an additional, and an unusual, problem, however. They did not approach the Simpson trial as 'blank slates'; for the majority of jurors, the defendant was a familiar figure, and for a significant number, he was even a positive role model. The challenge faced by the prosecution, therefore, was how to deconstruct the prevailing image of Simpson as a rich, powerful and successful man, and to reconstruct him as a violent wife beater and, ultimately, a murderer. On the second of these characterizations, the prosecution failed. After nine months of evidence, the jury acquitted Simpson of all charges.

On the issue of domestic violence, the prosecution seems to have had more success in persuading the jury – although they would undoubtedly have traded this in return for a guilty verdict on the homicide charges. Speculating as to the effect that specific linguistic choices such as those outlined in this article may have upon addressees is of course problematic, not least because we rarely have access to such internalized thought processes. However, a book written by a number of the Simpson jurors (Cooley et al., 1995) does at least give us a tantalizing glimpse of the jurors' views. It also serves as telling indication of the magnitude of the problem faced by the prosecution in deconstructing and re-presenting its famous defendant:

*Everybody had a certain perception of O.J., at least I did prior to the trial. . . . I knew nothing about his personal life and I was surprised to know that he had been in a marriage that was abusive. (Male, 46 yrs, African American)*

I wasn't shocked with the accusations. I believe that O.J. and Nicole had a very violent relationship and I didn't find it shocking or surprising at all. *I kind of felt that that was their relationship before this case.* (Female, 38 yrs, African American)

O.J. had always been a hero of mine since just before the Rose Bowl game. I didn't like it when he ran back that . . . kickoff for a touchdown against Ohio State, but outside of that, he's always been a hero of mine. I just don't think his persona viewed on TV and on advertisements doesn't – *you just don't perceive him as being a violent person or a spouse abuser.* (Male, White/Native American)

It is interesting to note that although the quotations cited above seem to indicate that the jurors accepted that the Simpson marriage was a violent, abusive one, they also convey a sense of mutual responsibility between O.J. and Nicole Simpson; one of the defence's contentions was that the violence between the couple was of joint origin, with Nicole equally as violent as her husband.

This article has explored various lexical representations of domestic discord in the Simpson trial. I have attempted to demonstrate the semantic prosodies of these terms, and to show, using evidence from the corpus, insights into some of the connotational profiles associated with them. This article serves to illustrate the value of the notion of semantic prosody, as well as the contribution made by resources such as the Bank of English to the ongoing investigation of lexis in context, and the role played by lexical choice in constructing representations of reality.


#### NOTES

1. Data drawn from the CobuildDirect corpus created by COBUILD at the University of Birmingham.
2. All of the collocates presented in this article have been studied in a span of 4 words to the left and right of the node word. The MI score has been included in order to give a sense of the strength of collocation in each instance.

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