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ARTSAKH: DISCOURSE STUDY OF THE CASE AGAINST DISCRIMINATION

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The following article addresses the long-lasting conflict between Armenia and Azerbaijan the center of which is Artsakh. The case was taken to the International Court of Justice. We strive to analyze the case by studying the speech of each countries' representative, i.e. Yeghishe Kirakosyan's speech representing Armenia, and Elnur Mammadov's speech representing Azerbaijan. Our goal in this article is to unveil some linguistic, extra-linguistic, and rhetorical properties present in their speeches. Linguistic means may be detrimental in affecting the judges' decision, hence the intersection of legal discourse and linguistics creates a wider opportunity to reach a better outcome.

Keywords: *Armenia's speech; Azerbaijan's speech; linguistic strategies and techniques; discourse analysis; rhetorical means; extra-linguistic features.*

Introduction

While traditional courtroom rhetoric focuses on formal language, specialized vocabulary, and strategic persuasion, an emerging concept in legal discourse is the integration of empathy and more relatable and emotionally engaging narrative for the jury. Sentences of legal language are typically complex to comprehend by laymen as it is usually comprised of long and complex sentences to avoid ambiguity and provide a clear message without confusion. Although, the sentences are there to provide a clear message, however the complexity of the language can be hard to understand by those who are not in the legal field (Tiersma, 1999; Wiredu, 2016; Hayrapetyan, 2023). However, lawyers also use short and simple sentences when their point needs to be highlighted; when it is necessary to shift from an argument and go to the next one; when they aim to simplify their idea for an easy comprehension (Haigh, 2004, p. 20). Since the legal language is only typical to legal discourse, it has its own jargon and expressions. Lawyers may use some idioms in their speech to sound professional and for emotional appeal (Matsyupa et. al, 2021, pp. 424-429).

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Emotional appeal plays an important role in making speech more persuasive that is essential for lawyers to make an impact on the jury and the judge. There are stylistic elements that are aimed at an emotional appeal, persuasion, and convincing effect (for more information see Chunying, 2015). Thus, it is essential for lawyers to employ these stylistic devices in their speeches in a smart way to gain the jury's and the judge's approval. Since persuasion plays an important role, rhetoric is inseparable from it and also from legal discourse (For more information, see Hayrapetyan, 2023).

In this article, we have concentrated on the speeches of the representatives of Armenia and Azerbaijan in the International Court of Justice on October 12, 2023, carrying out our analysis by the application of the linguo-stylistic method of analysis on the semantic and metasemiotic levels covering the investigation of both the vocabulary and the syntactic aspect of speech, as well as the rhetorical method of analysis aimed at revealing the impact of rhetorically relevant devices, key elements in legal discourse to persuade the judge in making favourable decisions.

From the linguo-stylistic point of view, it was important to emphasize the role of the stylistically coloured elements which, despite the usually accepted lack of emotional overtones in legal discourse, in the speeches under investigation, sound considerably effective and impact the audience. The syntactic study allows us to see the variety of sentence types and the specifics in their use employed by both parties. Rhetorical analysis is crucial in its own right, as rhetoric is the key to persuasion, particularly in the court room.

“Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia vs. Azerbaijan)” case is about Artsakh¹, also known as Karabakh², a conflict between Armenia and Azerbaijan. Artsakh was an autonomous territory until 2023 when Azerbaijan seized it from Armenians. Artsakh conflict started after the collapse of the Soviet Union, when Armenia managed to return the Armenian territory of Artsakh and keep it until September of 2023. Due to the blockade of the whole territory since December 2022 Armenians living in Artsakh were deprived of food, water, gas, electricity, medication, etc. that made them weaker day by day until September 2023. The whole population of Artsakh was under humanitarian crisis, malnourished, some of them sick, some dying (Magee, 2023). In September of 2023, Azerbaijan started a full-scale attack on Artsakh targeting the major cities and citizens, making them flee from their homes, and achieving a complete seizure of the territory of Artsakh (Landgraf & Seferian, 2024). Armenia filed for the elimination of all forms of racial discrimination to the International Court of Justice on September 28, 2023 and during the court hearing on October 12, 2023, the court decided in favor of Armenia to approve its application against Azerbaijan (The Armenian Report, 2023).

The Azerbaijani representative's speech study

We will now look into the speeches of both representatives and study them from a linguistic and rhetorical point of view. We will begin with the Azerbaijani representative Elnur Mammadov's speech:

“On 20 September 2023 — after over three decades of Armenia’s unlawful, military occupation — Azerbaijan finally restored full sovereignty over its internationally recognized territories. Today, Azerbaijan is in a position — for the first time since it has been before the Court — to ensure full application of and compliance with CERD in the entirety of its territory.”

The passage is obviously provocative. The manner of narrative of the representative of Azerbaijan shows his unveiled intention to cause a backlash by emphasizing the injustice of Armenia’s past actions, in his opinion, and the righteousness of Azerbaijan’s recent activities. It may seem to sound persuasive from the point of view of the principles of international law, justice, and human rights, hence he seeks to receive support and understanding from the international community and the court, in particular. Several techniques are employed to reach this goal – emotional appeal, legal and moral superiority, etc. The phrase *“After over three decades of Armenia’s unlawful, military occupation”* sets a strong historical context and frames the situation as an unjust occupation of Artsakh by Armenia, evoking a sense of prolonged injustice that has finally been corrected. The opening sentence is a simple one, while then it is followed by a complex sentence clarifying time markers, such as *“over three decades”*, *“on 20 September 2023”*, *“since”*, etc. This makes an impression of an accurate representation of facts. Such linguistic elements as *“unlawful”*, *“military occupation”*, and *“restored full sovereignty”* prove the blame, the Azerbaijani representative wants to put on the Armenian side, and their goal of bringing order. The adverb *“finally”* strengthens the content of the full restoration of the territories. The Azerbaijani representative uses the adverbial phrase *“internationally recognized”*, trying to underscore the idea of the territory of Artsakh being internationally acknowledged as part of Azerbaijan, which has been occupied by Armenia unlawfully. However, the second sentence that ensures Azerbaijan’s full compliance with CERD, highlights the fact that Azerbaijan had been doing quite the opposite before *“restoring full sovereignty”*, i.e. violating the principles adopted by CERD. The linguistic units *“for the first time”* indirectly implies the previous violations of these principles.

The consideration of the next passage is of special significance:

“Armenia has repeated its unfounded accusations of ethnic cleansing, and other atrocities against the civilians by Azerbaijan on and since 19 September so frequently that its accusations have taken on a life of their own. Those accusations do not reflect the reality of what has been happening in Garabagh Economic Region of Azerbaijan, which I will refer to as Garabagh throughout the speech. Importantly, they do not reflect the observations and findings of the now two United Nations missions that Azerbaijan has allowed to access Garabagh — the first time there has been international access to the region in over 30 years.”

In this paragraph, the determiner *“other”* is very important from the point of view of its contextual meaning as it proves the Azerbaijani representative’s understanding of *“ethnic cleansing”* being not anything too serious. Besides, *“other atrocities”* are

unknown to him. The idiomatic expression “*have taken on a life of their own*”, according to Merriam-Webster Dictionary, means “to become very large, important, or hard to control” (“Have taken on a life of their own”, n.d. -a), hence it reinforces the representative’s biased and subjective approach towards the case. The dictionary definitions of the same idiomatic expression can vary dependant on the context, as can be seen in The Free Dictionary “To exist and thrive outside and beyond the control of the point of origin” (“Have taken on a life of their own”, n.d. -b). The consideration of the dictionary interpretations is important, for they can unfold two contextual meanings: *Armenia has taken Azerbaijan’s actions very seriously, and hard to control*; or *Armenia’s accusations have turned to something else and have nothing to do with the original source*. It is also worth noting that the passage is evident with stylistically coloured words such as repetition “accusations”, “do not reflect”; hyperbole “have taken on a life of their own” which exaggerates the situation; appeal to authority “[...] the observations and findings of the now two United Nations missions that Azerbaijan has allowed to access Garabagh” to add an element of persuasion to the information provided. In addition, addressing the internationally recognized name of Artsakh as “Garabagh Economic Region of Azerbaijan” is intentional in this case, as it is aimed at highlighting and affirming its own authority over the territory.

Let us consider another passage:

“Azerbaijan has not engaged, and will not engage, in ethnic cleansing or any form of attack on the civilian population of Garabagh. Azerbaijan has given firm assurances after 19 September, at the highest level of Azerbaijan’s Government through the President’s official statements, and will make certain specific undertakings before the Court today: the Armenian residents of Garabagh are citizens of Azerbaijan and their human rights are protected and upheld on an equal basis with those of Azerbaijan’s other citizens. Azerbaijan encourages them to return to their homes in Garabagh and will continue to work to create conditions in which they feel safe to return.”

The whole paragraph is based on manipulative intent, since at first, Mr. Mammadov categorically denies the claim against them by stating that “*Azerbaijan has not engaged, and will not engage, in ethnic cleansing or any form of attack on the civilian population of Garabagh*”, but then indicates that after September 19, “Azerbaijan has given firm assurances [...]”. This is of manipulative nature since there are contradictory statements. Through manipulation, Mr. Mammadov aims to convince the court about their good intentions by considering Artsakh citizens as Azerbaijani equal to Azerbaijanis, excluding any discrimination. To compare these two, may prove the opposite side’s claim of attack even more (which we will see in the next sub-chapter), ethnic cleansing by Azerbaijan, as only after September 19 did Azerbaijan decide to “ensure” peace towards Artsakh citizens, that is under question. Mr. Mammadov appeals to authority in the sentence “*Azerbaijan has given firm assurances [...] at the highest level of Azerbaijan’s Government through the President’s official statement*” that is directed to provide credibility to the claims. The Azerbaijani representative indicates future commitment and positive actions by the statement

“Azerbaijan encourages them to return to their homes in Garabagh and will continue to work to create conditions in which they feel safe to return” to gain credibility from the court, and prove that they are open and ready to provide a peaceful life to the Armenians of Artsakh.

From a syntactic point of view, certain aspects need to be mentioned. Firstly, the sentences are mostly compound with multiple clauses which are typical to legal discourse, providing thorough information and making sure not to leave out any necessary fact. Secondly, the parallel structure of *“has not engaged and will not engage”* makes the statement more memorable and persuasive because of the use of the repetition. Finally, the use of the active and passive voices in this paragraph is important since the use of the sentence *“Azerbaijan has given firm assurances”* in the active voice asserts Azerbaijan’s actions directly, whereas the passive voice in *“their human rights are protected and upheld on an equal basis”* shifts the focus to the state of being protected, minimizing the agent’s presence and emphasizing the outcome.

Let us discuss the following passage:

“Azerbaijan wants to preserve its multi-ethnic community where more than 50 ethnicities and religions are represented and ethnic Armenians and ethnic Azerbaijanis live side by side in peace, as we did before the dissolution of the Soviet Union put us on this current, tragic path.”

The comparative degree of the adjective *“more”* is a stylistic element meant to emphasize the fact about different ethnicities, including ethnic Armenians living in Azerbaijan peacefully without any conflict, thus intensifying the persuasive impact on the court and presenting Azerbaijan as a none-violent country. The shift from 3rd person plural *“ethnic Armenians and ethnic Azerbaijanis”* to the 1st person plural pronouns *“we”* and *“us”* draws the attention of the court to Mr. Mammadov’s indirect address for unity and Azerbaijan’s desire to see their country as one whole. At the end of the sentence, Mr. Mammadov uses the emotively coloured word *“tragic”* for proving Azerbaijan’s regret for the occurrence of this conflict situation. All these rhetorical means are aimed to persuade the court that justice is on the Azerbaijani side.

In the next paragraph of his speech the representative of Azerbaijan refers to events that the opposite side blames them of:

“The events of 19 September took place in the face of critical developments in the severe security threat posed by Armenian military formations illegally operating in Garabagh. There is no dispute that, under the clear terms of the 10 November 2020 Trilateral Statement, Armenia was required to withdraw its troops from Garabagh region of Azerbaijan. But nearly three years later, Armenia continued to engage in and support illegal military activities on Azerbaijan’s sovereign territory. In fact, in July 2022, the Secretary of the Security Council of Armenia admitted that Armenia’s troops were still operating in Garabagh, and announced that they would be withdrawn a few months later — which in fact never happened.”

The language used by Mr. Mammadov is, no doubt, formal, typical to legal discourse. However, the intention of the speaker is the same – to defend the

Azerbaijani side. The first sentence sounds in a defensive tone meant to justify Azerbaijan's actions of attacking and killing the citizens of Artsakh. The linguistic elements "*critical developments*", "*severe security threat*", "*military formations*", etc. pose a condemning tone blaming the opposite side through manipulation. But this is done for the justification of Azerbaijan's actions. This tactic can be of persuasive nature for the court to interpret the attack as a self-defence for Azerbaijani people and territory. Another interesting manipulative tactic by the Azerbaijani representative is when he refers to Artsakh as "*Garabagh region of Azerbaijan*" to again emphasize that Artsakh belongs to them rightfully. The presupposition "in fact" in this aspect is used to divert the attention from the main event to another one, trying to prove that the actions of Azerbaijan were more than reasonable. For this case as well, the intent of manipulation and persuasive effect should not be disregarded.

"In response to that, Azerbaijan's local counter-terrorism measures, and I will be referring to that as operation throughout my speech, started shortly after midday on 19 September and ended less than 24 hours later, at 1 p.m. on 20 September 2023 when Armenia's military detachments agreed to disarm. It was conducted entirely within Azerbaijan's sovereign territory, and it was aimed exclusively at Armenia's military targets, not the civilian population."

In the passage, Mr. Mammadov uses the phrase "counter-terrorism", indirectly labeling Armenia as a terrorist country. The intent is covert, hidden, opaque, as it lies within the content of the word phrase. The second sentence bears the stylistic device of repetition which is also used in the previous statements where the Azerbaijani representative refers to Artsakh as "*Azerbaijan's sovereign territory*" to apply authority and a sense of ownership. The technique of repetition is employed for persuading the court that the territory belongs to Azerbaijan. In addition, the aim of the "operation", according to Mr. Mammadov, was the elimination of Armenia's military targets solely, however, in contrast, the Armenian representative, Mr. Kirakosyan, highlighted in his speech the mass killings, naming them an ethnic cleansing (see the next sub-chapter). Hence, the actions of Azerbaijan prove the opposite, i.e. mass murder and ethnic cleansing.

In the following passage Mr. Mammadov points out the existence of weapons in Artsakh, however, the key aspect in this are the "*Russian sources*".

"Russian sources have documented even higher numbers of weaponry being stockpiled in Garabagh. Armenia's attempt to portray these military personnel as local militias or civilians with rifles is belied by the level of organization and sophistication of the weaponry. Azerbaijan has invited the United Nations to document this military presence, assist in the disarmament process and document for the world the extent of Armenia's unlawful activities. Azerbaijan has also invited the military attachés of countries accredited in Azerbaijan to witness first-hand the military equipment recovered following the operation."

This paragraph is a supposition without bearing any valid fact, as Azerbaijan has not proved it itself. There is no mention of the discovery by the United Nations, nor

any other military attachés, that, in fact, pushes the statement on to the level of hearsay. Even more, those military attachés accredited by Azerbaijan can be considered subjective rather than objective, as they are not accredited by Armenia. Trying to disvalue and blame the opposition, based on hearsay without solid facts is an obvious case of manipulation which is not based on good intentions: the Azerbaijani representative doesn't want to miss any chance, whether grounded or not, to mislead the court about the facts and incidents that had taken place. In addition, the verb "belie" is used in the passive voice to avoid mentioning the person or people who have come to the conclusion. He rather tries to emphasize the contradiction of Armenia's statement, although again based on assumptions, as the only valid "proof" is "organization and sophistication of the weaponry":

"Armenia did not mention the weaponry and troops found in Garabagh at all this morning. It did not even bother to deny that these military units are part of its armed forces and that it has been supporting, co-ordinating and controlling their activities. The Court will appreciate that the only route to the Garabagh region not controlled by Azerbaijan was the Lachin road, which connects to Armenia. Armenia is the source and facilitator of these weapons, which have been used to kill and maim Azerbaijanis on Azerbaijan's own sovereign territory."

Mr. Mammadov targets the opposition by covertly blaming that there was no mention of the weapons that means the non-existence of those weapons can be assumed. The phrase "*did not even bother to deny*" occurs in his speech with the strengthening adverb "*even*" meant to emphasize to the court the fact of the careless attitude towards the situation. From his end, Mr. Mammadov adds that those weapons were part of the unlawful activities, without any proof, that could be considered misleading information by the court. The phrase "*the court will appreciate that*" does not seem grammatically or linguistically correct in this sentence, as logical cohesion is missing here. In the last sentence of the paragraph emotive words such as "*kill*" and "*maim*" are used, that against the background of the obvious implementation of pathos in the context may strengthen the impact on the court and bring it to the firm belief that Armenia did provide weapons and military personnel to Artsakh to be used against Azerbaijan's citizens. Hence, Azerbaijan was forced to protect itself. The use of the passive construction "*have been used*" can be intentional as to avoid the doer of the action and emphasize the usage of the weapons provided by Armenia.

"[...Azerbaijan took immediate steps to provide humanitarian assistance to the Armenian residents of Garabagh...]"

With this sentence, the impact of effect of pathos is obvious. The Mr. Mammadov intends to show that Azerbaijan cares for the civilians and prompted to provide humanitarian assistance which for the court can be quite convincing to interpret the actions as conscious.

All the rhetorical means and linguistic elements together with the manipulation tactics employed by Elnur Mammadov tend to prove their additional effort in trying to bring an excuse to the actions taken by Azerbaijan, and convince the President of the court of the justification of their actions.

The Armenian representative's speech study

In this sub-chapter, we will discuss and study Armenia's representative Yeghishe Kirakosian's speech and find out linguistic and rhetorical means employed by him, and understand what the impact of that could be on the court.

Mr. Kirakosian begins his speech with this paragraph:

"Less than nine months ago, I stood at this podium and warned that Azerbaijan was putting in motion a plan to ethnically cleanse Artsakh of all ethnic Armenians. Madam President, it pains me greatly to say — that has now materialized".

Speeches in the courtroom should generally be very persuasive. In this case, when the narrative of the case is presented to the international court, the vitality of the purpose of the speech is even multiplied, for it is so important to convince the judge, or in this case, the President of the court to set certain demands against Azerbaijan in regards to the Artsakh and Azerbaijan war. The results depend, to a great extent, on the logical construction of the speech which should provide reliable proofs and details concerning the case. It is here that the specificity of the language use comes to help. The study of the speech of Armenia's representative Yeghishe Kirakosian reveals his skilfulness in constructing his speech logically through the inclusion of important details and evidences, as well as stylistic devices and rhetorical means to achieve a persuasive impact on the President of the courtroom. One can notice that the use of some rhetorical means in his speech even in a non-targeted manner seem to be useful in creating the general atmosphere in the courtroom. When he starts his speech, he sets the aura of the courtroom to surround him, that is, he confirms his authority and power over the case when he says: "*Less than nine months ago, I stood at this podium and warned...*". This sounds as a powerful opening in the sense that he had already foreseen the upcoming hostility from Azerbaijan, for the future aggression expected from Azerbaijan had been rather realistic, but unfortunately, no one had taken it seriously. With this sentence, he targets the attendees' untroubled, unconcerned and unworried attitude towards the grave matter that, unfortunately, Armenians had to face as a result. Even though he does not directly accuse the International Court of Justice of their denial, nevertheless, we cannot but notice the vivid disappointment in his speech that he had not been taken seriously before, and it led to dire consequences.

"[...] on 19 September, Azerbaijan launched a full-scale attack on Artsakh. It then cynically opened the Lachin Corridor for the first time in nine months only to let out more than 100,000 fleeing ethnic Armenians. Despite comprising for millennia the great majority of the population of Artsakh, almost no ethnic Armenians remain in Artsakh today. If this is not ethnic cleansing, Madam President, I do not know what it is."

In this passage, the Armenian representative speaks about the long-term lockdown of Artsakh. He uses the word "cynically" asserting a critical tone here to show that the Azerbaijani side had done the action allegedly showing they had cared for the people, but in reality, they had done it on purpose to realise their operation, that is, ethnic

cleansing of the Armenians. From a syntactic perspective, the paragraph consists of complex and compound sentences proper for the environment he presents his speech in, and also showing the depth and graveness of the meaning relayed. The presence of rhetoric here, when he addresses to the judge (in this case, “Madam President”), is aimed to wake emotions. Speaking about the numbers of ethnic Armenians of Artsakh for another eight months, before brutally attacking them and causing them to flee from their ancestral home.”

In this passage, sarcasm is prevailing when he emphasizes the words “reconciliation”, “peaceful future” which in his opinion will be an excuse for his counterpart. Sarcasm in this case is important, as he continues explaining the events that followed after those words were spoken nine months ago, before this court. This shows the inconsistencies in the Azerbaijan’s actions and words, proving the Armenian representative’s point about the planned ethnic cleansing of the Armenian nation living in Artsakh. The paragraph is comprised of complex and compound sentences. The paragraph containing words such as “*brutally attacking*” and “*causing them to flee*” has an accusatory tone towards Azerbaijan. The urgency and the deliberation of the actions by Azerbaijan can be noticed if the blockading of the territory, and leaving people in hunger without providing any vital needs are taken into consideration. Regarding the temporal aspect of the paragraph, it is obvious that the words spoken nine months ago in contrast to the reality, prove Mr. Kirakosian’s point of cold-blooded and aggressive nature of Azerbaijan. The speech is logically constructed with academic vocabulary proper to the setting of the speech. Rhetorical appeal is inseparable here as the last sentence of the paragraph is full of ethos and emotions that can affect the audience to experience emotions such as anger and fury towards Azerbaijan, and sympathy and empathy towards Armenia. The paragraph effectively challenges Azerbaijan’s rhetoric of reconciliation and peace by juxtaposing it with alleged actions of deliberate harm and violence. The strategic use of language and chronological structure strengthens the argument, framing Azerbaijan’s behaviour as hypocritical and deceptive.

“I expect my counterpart will tell you that Azerbaijan will permit those it considers its citizens to return. He promised the same thing in October 2021 when he claimed that, in areas that had been transferred to Azerbaijan in 2020, Azerbaijan was ‘committed to the return of displaced persons, regardless of their national or ethnic [identity] origin’. Two years later, not a single ethnic Armenian has been permitted to return to those areas and, instead, virtually all remaining ethnic Armenians of Artsakh have been forced to flee their homes.”

This paragraph consists of complex-compound, and compound sentences. The length of the sentence and the complexity prove the vitality of the case. Mr. Kirakosyan discusses the promise Azerbaijan had given but never kept. Considering the paragraph from a rhetorical viewpoint, shows the use of phrases such as “*I expect*” and “*He promised the same thing*” that set up an expectation that the promises made will never be fulfilled, creating a sense of doubt and skepticism for the audience towards Azerbaijan. Besides, temporal markers play an important role in establishing a

timeline that highlights the failure of Azerbaijan to fulfil its promises over an extended period. From a linguistic perspective, the use of the passive voice is deliberate, as the speaker intends to bypass the agent of those actions, and tries to set the situation as a deliberate outcome. Let us consider the following passage:

“Madam President, distinguished judges of the Court, let me be perfectly clear: since September 2020, Azerbaijan has been taking steps to cleanse Artsakh of ethnic Armenians, and it has been doing so while Armenia’s claims are pending at the Court. Political considerations may have prevented the international community stopping it, but the reality of such ethnic cleansing is crystal clear to all.”

The direct address to the members of the court is done purposefully to get their full attention to whatever he is saying or wants to say. While saying “let me be perfectly clear” Mr. Kirakosyan aims to establish authority and credibility for the court preparing them to receive a straightforward and unambiguous information. In addition, it can also serve to highlight the seriousness and gravity of the subsequent statement, encouraging the court to pay close attention to what is being presented. The following sentence holds an accusatory tone as Mr. Kirakosyan indirectly blames the court for disregarding Armenia’s claim due to political factors present. A rhetorical element is also present in considering the phrase “ethnic cleansing” that evokes strong emotions and condemnation towards Azerbaijan’s actions. To intensify the situation, he uses the word combination “crystal clear” to emphasize the obvious transparency of Azerbaijan’s intentions which shouldn’t have missed by the court before.

Another sentence is noteworthy mentioning:

“[...as well as those who have been abducted and are currently unlawfully detained in Azerbaijan’s prisons...]”

In this small segment, Mr. Kirakosyan uses such words bearing negative meaning and aggressive tone such as “abduct”, “unlawful”, and “detained” to enhance the already negative situation in the eyes of the President of the court. The adverb “unlawfully” proves the actions should be condemned and punished. The verb “abduct” has a strong connotational meaning “to seize and take away (a person) by force” (“Abduct”, n.d.). Mentioning such an illegal action arises negative attitude towards the doer. The sentence is in the passive voice, which means the responsible person/people is/are not known, only the result of the action, i.e. the abduction and detention in Azerbaijan’s prisons is obvious. The passive voice in this case emphasizes the horrible action already taken place disregarding the doer. However, when the place, i.e. Azerbaijan’s prison is mentioned, it can be automatically deduced that the doer of the action is approved by the Government of Azerbaijan.

“And it in fact reflects the way Azerbaijan prefers to resolve its disputes, that is by resorting to illegal threat or use of force. Is this how Azerbaijan understands peace and security?”

The sentence has the clarifying phrase “that is” to unveil for everyone Azerbaijan’s aggressive way of resolving disputes and conflicts. This is followed by a rhetorical question with no answer expected, just the opposite, it is for leading the

audience's attention to Azerbaijan's way of interpreting peace and security which cannot be achieved through aggression, threats, or use of force.

"In these circumstances, nothing other than targeted, unequivocal provisional measures protecting the rights of ethnic Armenians of Artsakh will suffice to prevent the ethnic cleansing Azerbaijan is perpetrating from continuing and becoming irreversible; to safeguard Armenians' millennia-long enduring cultural presence in Artsakh from being eradicated — as was already done in Nakhichevan and is being done elsewhere in Azerbaijan; and to protect the abducted political-military leadership of Artsakh from fabricated criminal charges. If your provisional measures retain any ambiguity whatsoever, Azerbaijan will exploit them. And in so doing, it will ensure that the ethnic Armenian presence and history of Artsakh are permanently wiped out. While we do not do so lightly, it is in these circumstances that we approach the Court for the third time".

The given passage is rich in formal vocabulary typical to legal discourse with its complexity and seriousness, missing stylistic elements as it is supposed to. The sentence structure is made of complex-compound sentences distinctive of legal discourse. The first passage consists of a single, multi-clause sentence, reflecting the complexity and interconnectedness of the issues described. The sentence includes parallelism "to prevent [...]; to safeguard [...]; and to protect [...]" This structure emphasizes the multifaceted goals of the measures being advocated. Each clause builds upon the previous one, escalating the urgency and gravity of the situation. The passage follows the Aristotelian rhetorical norms where ethos, pathos, and logos are present. Guided by the essential mode of persuasion, i.e. ethos, Mr. Kirakosyan, using constructive and legal vocabulary, speaks about the specific regions that are under the threat of being destroyed by Azerbaijan. Then working pathos into his speech, he uses such linguistic units as "ethnic cleansing" and "eradicated", which conjure images of severe human rights violations and cultural loss. His mention of the "abducted political-military leadership", "fabricated criminal charges", and "permanently wiped out" invokes sympathy and concern for the individuals affected, as well as outrage at the perceived injustice. His logically constructed ideas following one another (if specific measures are not taken, then negative outcomes will ensue and "ethnic cleansing will continue and become irreversible") manifest the presence of the mode of logos which is a reliable basis for his argumentation.

The anaphoric repetition of the infinitive marker "to" at the beginning of the clauses "to prevent [...]; to safeguard [...]; and to protect [...]" emphasizes the urgency and importance of the actions called for, and appeals to the audience's emotions, encouraging them to take a just stance in their decisions. The use of the conditional "if" structure, sounds like a kind of warning about the horrible future of the Artsakh people, schemed by Azerbaijan. Mr. Kirakosyan uses phrases such as "ethnic Armenian presence", "permanently wiped out", and "do not do so lightly" which render seriousness to his speech and the discussed matter. In the last sentence, the Armenian representative uses the phrase "we do not do so lightly" which according to Cambridge

dictionary means “it is said or treated in a serious way, after great thought” (“Not do something lightly”, n.d.), highlighting the graveness of the situation in accordance with “for the third time” stressing the urgency why Armenia appeals to the court about the situation for the third time.

“Azerbaijan shall refrain from taking any measures which might entail breaches of its obligations under the CERD”;

“Azerbaijan shall withdraw all military and law-enforcement personnel from all civilian establishments in Artsakh occupied as a result of its armed attack on 19 September 2023.”

“Azerbaijan shall immediately facilitate the full restoration of public utilities, including gas and electricity, to Artsakh, and shall refrain from disrupting them in the future.”

“Azerbaijan shall refrain from taking punitive actions against the current or former political representatives or military personnel of Artsakh.”

The use of “shall” makes the sentences imperative holding a serious tone urging Azerbaijan not to disobey the rules agreed upon before, to withdraw soldiers and military, to restore the essential utilities, and not to apply aggressive and punishing actions toward the influential personnel of Artsakh. The modal verb “might” holds probability of future consequences in case the rules are not followed properly by Azerbaijan.

As we can see, Yeghishe Kirakosyan constructs his speech logically and formerly proper to the setting they are at, leading the President of the court from the beginning to end to follow the story and the accusations proper against Azerbaijan, employing effective rhetorical and linguistic means to better transfer the content and information.

Conclusion

To sum up the analysis of the speeches concerning Artsakh conflict we can see the following key elements present:

- From a morphosyntactic point of view the speeches of both representatives abound in complex and compound sentences trying to preserve the formal tone and the vocabulary typical to legal discourse.
- The tone of voice is strict and formal with imperatives and blames directed to the opposite party and trying to prove the guilt of the other.
- The rhetorical value is of significance since the speeches are full of the rhetorical elements such as ethos, pathos, and logos which comprise a valuable part of persuasive impact.
- The stylistic devices also take part in the speeches of the representatives even though they tried to keep the speeches fully formal lacking emotive language.

The language and rhetoric used by both Armenian and Azerbaijani representatives highlight the intense emotions of the speakers and profound animosity between them. The Azerbaijani representative argued for the restoration of sovereignty and

compliance with international norms, whereas the Armenian representative highlighted the humanitarian crises and systematic ethnic cleansing executed by Azerbaijan as part of its genocidal policy. The linguistic and rhetorical strategies reveal a complexity of legal argumentations, and emotional appeals aimed at influencing the court decision.

Due to these rhetorical techniques and strategic argumentations together with evidence and facts, the International Court of Justice found the case brought about by Armenia fair.

Notes

1. The name Artsakh was mentioned by Strabo in his “Geographica” as Orchistene believed to be a rendering of Artsakh (Strabo 1877, p. 323).

2. Artsakh is referred to as Karabakh which, among other interpretations, according to Iranian linguist Abdolali Karang is interpreted as “large garden”. (See Karang 1954).

Conflict of Interests

The author declares no ethical issues or conflict of interests in this research.

Ethical standards

The author affirms this research does not involve human subjects.

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Սեդա Գասպարյան
Զարա Հայրապետյան

Սույն հոդվածում քննարկվում է երկարատև պայքարը Հայաստանի և Ադրբեջանի միջև, որի կենտրոնում Արցախն է: Գործը փոխանցվել է Միջազգային դատարան: Մենք ձգտում ենք վերլուծել այն, ուսումնասիրելով յուրաքանչյուր երկրի ներկայացուցիչների՝ Հայաստանը ներկայացնող Եղիշե Կիրակոսյանի և Ադրբեջանը ներկայացնող Էլնուր Մամեդովի ելույթները: Մեր նպատակն է բացահայտել այդ ելույթներում առկա որոշ լեզվական, արտալեզվական և հոետորական հատկանիշները: Հատուկ միջոցները կարող են որոշիչ դեր խաղալ դատարանի վճռի կայացման պրոցեսում, ուստի իրավական դիսկուրսը փոխկապակցվելով ոճաբանության հետ, կարելի է հասնել լավագույն արդյունքի:

Բանալի բառեր՝ Հայաստանի ներկայացուցչի խոսքը, Ադրբեջանի ներկայացուցչի խոսքը, լեզվաբանական ռազմավարություններ և տեխնիկաներ, դիսկուրսի վերլուծություն, հոետորաբանական միջոցներ: