

Democrat's *Ethos* in the Plea of a Defendant Speaker: Discursive Analysis

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Abstract: The *ethos* is the image that the speaker projects from his person during his speech. The reflection here puts this image in relation with that which was conceived of the speaker before his discourse - pre-discursive *ethos*-. Democracy is a mode of governance that favors the sovereignty of the people. Are deciphered, the moral values promoted in the form of discursive evidence in the defendant speaker Laurent Gbagbo during his February 28, 2013 speech before the International Criminal Court. How in his plea, Laurent Gbagbo deconstructs the offence he was charged with through the pre-eminence of his-democratic values? The notions of *ethos* and democracy are first defined. Then the democrat *ethos* is shown. Finally, the revelation of the speaker's character as effective data likely to influence the verdict of the trial in favor of the defendant finalizes the reflection.

Keywords: Pre-discursive *Ethos*, Discursive *Ethos*, Democracy, Persuasion, Freedom

1. Introduction

This study proposes a pooling of the concepts of *ethos* and democracy applied to the speech of 28 February 2013 by the defendant speaker Laurent Gbagbo in The Hague. As a reminder, this former President of the Republic of Côte d'Ivoire is being tried for the following reasons:

"murders, rapes and other forms of sexual violence, acts of persecution, and other inhuman acts. These crimes were allegedly committed by forces under his control during the post-election violence in Côte d'Ivoire between 28 November 2010 and mid-May 2011. He is accused of being responsible for these crimes as an indirect co-perpetrator or, in the alternative, because he contributed to the commission or attempted commission of crimes "by a group of persons acting in concert".

The speech delivered is part of the "inclusive scene"² of

the judiciary with a "generic scene" consisting of a plea by the defendant. The accused defends himself through a "scenography" that challenges his presumed innocence. Faced with this challenge, he convened a democratic *ethos*. *Ethos* is part of the field of rhetoric. As a science that studies public speaking, rhetoric through Aristotle's work has identified three essential features of the discourse that can be used as evidence: *ethos*, *pathos* and *logos*.

"The evidence given by means of speech is of three kinds: the first consists in the character of the speaker; the second, in the provisions in which the listener is placed; the third, in the speech itself, by what it demonstrates or appears to demonstrate" [1].

Among these three proofs, Aristotle characterizes *ethos* as the most decisive proof. Even today, this notion continues to fuel scientific debates in linguistics and other fields. If in sociology, for example, E. Goffman's work studies it through the interactive game of *face work*³, in enunciative linguistics with O. Ducrot or E. Eggs, it is the oratory dimension resulting from Aristotle's work that is developed, while R.

1 Source: Human Rights Watch, a non-governmental organization, <http://www.hrw.org/fr/news/12/06/2014>.

2 The concepts of "inclusive scene", "generic scene" and "scenography" are developed by D. Maingueneau (1993), *Le contexte de l'œuvre littéraire*, Paris, Dunod. The first one situates the pragmatic status of the discourse. The second is that of the contract attached to a genre or subtype of speech. The third is the scene of speech, which the enunciation gradually establishes as its own speech device.

3 The face-work or figuration is a notion developed in the work of the sociologist E. Goffman. It deals with the interactive relationships between the actors and situates the issue of negative or positive faces during exchanges.

Amossy and D. Maingueneau explore its pre-discursive function. As for democracy, lexicological decoding makes it possible to define it through two terms. The Greek prefixes and suffixes *demos-* and *kratos* mean respectively "people" and "power". In other words, democracy is "a political regime in which the people are sovereign"⁴. It is a selective mode of governance that requires the leader to have a charisma, or even an *ethos*, that corresponds to the values specific to his environment. In relation with these different theoretical principles, how can we read Laurent Gbagbo's speech in The Hague? To what extent does the *ethos* he projects of his person rhyme with the image of a democrat and does it implicitly participate in the invalidation of the offence he was charged with? The discursive analysis proposed in the working method will attempt to examine the plea of the defendant speaker according to the *topoi* or fertile places of the discourse with a view to gradually bringing out "the "charge" or accusation and "discharge" or defence" [2] aspects, in the words of H. Bohui. In perspective, the reflection aims at showing the speaker's dream of working towards the emergence of a new democratic era in Côte d'Ivoire and Africa through a strategic use of his moral values. But first, the definition and contextualization of the terms *ethos* and democracy are done. Then, the mechanism of incorporation from the empirical being (pre-discursive *ethos*) to the democratic speaker (discursive *ethos*) is studied.

2. Ethos and Democracy

The defendant has the dual task of making a good impression on himself and of deconstructing the charges against him. The generic of the advocacy allows him to stage a discursive *ethos* that he has the possibility to open to strong actions in favour of democracy. The pre-discursive *ethos* in this case brings together the positive actions he has taken.

As regards democracy, the approach made by Le Littré compared to that of Le Larousse illustré differs at a certain level. Indeed, in Le Littré, in addition to the meaning that Le Larousse admits to the word, it is also underlined: "political regime in which the interest of the masses is promoted or claimed to be promoted"⁵. The hypothetical modality introduced by the verb "to claim" in this other definition undermines the semantic stability of the word "democracy". While Le Larousse illustré indicates an effectiveness of "do (the people are sovereign), which implies that they are the supreme authority, Le Littré enters a reservation (we favour or claim to favour the interest of the masses). This observed relativity leads H. Constantin and S. Rémi-Giraud to speak of "tensioning" of the word democracy. They point out that on the one hand democracy involves "an act that makes it part of the topicality of the experience, and on the other hand, an act of duty that draws it towards the virtual world of abstract principles" [3]. This duality, they add, leads to "an implicit questioning on the modality of "knowledge" (how to do it?)"

[3] democracy. This question underlines the delicacy of a system whose success requires the leader to have an *ethos* that meets the expectations of the people. Indeed, it was only in the 1980s that the single-party regimes that prevailed in several African states were put into perspective, thanks in particular to the influence of the fall of the Berlin Wall (1989) and the end of the Cold War (1991). Democracy in most countries in Africa is a relatively new concept, the application of which has so far shown several shortcomings.

Moreover, outside the African context, the definitional vagueness of this notion is observed in practice at high scales. Supposedly referring to a political regime that works for the freedom and power of the people, it is often noted in the application that this is only a semantic hypocrisy. Democracy very often appears as a truism that serves the geopolitical and geostrategic interests of the powers, as was the case in Libya with late Muammar Al-Qadhafi⁶. It certainly contains undeniable theoretical values, but in practice, it often does not correspond to anything concrete for citizens, which is sometimes even reduced only to the sound effect. This is what P. Braud writes in a way:

"The definition of democracy is therefore a political issue. A highly demanding design makes it easier for all Cassandras to deplore the inevitable attacks on the ideal. Conversely, minimalism makes it possible to cover the worst hypocrisies by justifying completely undue claims of belonging" [4].

To have an *ethos* of democrat preeminent over the obstacles inherent in such a notion is to try to set oneself up as a model by rejecting the demagogic criterion that seems to go hand in hand with it. Also since the choice of the President of the Republic in this regime is based on a competition that is supposed to be free and transparent, *ethos* is an asset that can give the candidate or director a notorious stature.

According to Aristotle, the *ethos* is an image of self that the speaker projects of himself through the discourse. This is an exercise intimately linked to enunciation. It is in a discursive situation that the speaker tries to establish a certain complicity with the audience to the moral credit of his person. Even if the public previously had information about the speaker, only discourse can change trends if they are negative or confirm them if they are positive. *Ethos* is built, it is not imposed. It must appear as an outcome of the discourse. O. Ducrot makes it precise:

"It is not a question of the flattering statements that the speaker can make about himself in the content of his speech, statements that risk, on the contrary, to offend the

⁴Larousse illustré: 2000, 315.
⁵Émile Littré: 2007, 1756.

⁶Born around 1942 in Qasr Abu Hadi, Libya, Muammar Al-Qadhafi came to power by a coup in 1969. He is called the "Guide to the Revolution of the Great Socialist People's Libyan Arab Jamahiriya" and exercises absolute power outside any temporal or constitutional framework. From February 2011, his power is contested by popular demonstrations that will take the ascendancy of a civil and military war. With the help of NATO (North Atlantic Treaty Organization), rebel factions attacking him managed to arrest him on October 20, 2011. He was lynched and killed in the vicinity of Syrte. Source: https://fr.wikipedia.org/wiki/Muammar_Al-Qadhafi.

listener, but of the appearance conferred on him by the flow, the intonation, warm or severe, the choice of words, the choice of arguments... In my terminology, I will say that the *ethos* is attached to L, the speaker as such: it is in so far as it is the source of the enunciation that it is endowed with certain characteristics which, in turn, make this enunciation acceptable or discouraging" [5].

This principle of operation that Ducrot states is also the one defended by E. Eggs when he quotes Aristotle:

"Speakers inspire confidence, (a) if their arguments and advice are competent, reasonable and deliberate, (b) if they are sincere, honest and fair and (c) if they show solidarity, helpfulness and friendliness towards their listeners"[6].

The terms "solidarity", "helpfulness" and "friendliness" are essential. There is no speech for oneself. All speech is directed towards others. The support of the audience (the public that the speaker wants to convince) for the discursive or democratic project of the political leader must inevitably involve the establishment of collaboration between these two main actors. Under no circumstances can the audience rely on a speaker who does not inspire confidence. In relation to the discursive scheme that calls for the intervention of the accused Gbagbo in The Hague, "these are the characteristics of character that the speaker must show to the audience (...) to make a good impression: these are his airs" [7]. The democrat's speech must be an opening speech. The speaker is called upon to show his sense of sacrifice for the well-being of the people. In this way, the enunciation situation becomes a place for updating the proof of the "self". And it is this dimension of the *ethos* that D. Maingueneau rightly explores.

From the outset, he does not reject the fact that *ethos* is linked to enunciation, only, "we cannot ignore that the public also builds itself representations of the enunciator's *ethos* before he even speaks. It therefore seems necessary to distinguish between discursive and pre-discursive *ethos*" [8], says D. Maingueneau. While the speaker is speaking, there is an image of himself that he wants to have admitted. However, the exercise is delicate insofar as the audience may have a preconceived image of itself. And this is indeed the case here with Laurent Gbagbo. The defendant is called to testify in his defence, which implies that the audience is normally informed of the offences he is charged with.

Communication is not only about words. Behaviour itself is a communication. Arguments cannot therefore be risky since they are influenced by the social realities that give rise to them. In addition to being an image constructed through discourse, the *ethos* is also a sum of representative ideas that the audience has of the speaker. In this respect, R. Amossy proposes an opinion similar to that of D. Maingueneau. From her reading of the book by C. Perelman and L. Olbrechts-Tyteca [9], she argues that the persuasion campaign in which the speaker engages is necessarily dependent on the image that the speaker and his audience⁷ have of each other:

7 The notion of audience is understood here in its most generic sense. It includes the different stratifications that the speaker targets during his or her speech, namely, the heterogeneous audience (all those who follow the hearing, Africans and other peoples), the homogeneous audience (judges and people likely to

"As the speaker takes the floor, he or she gets an idea of his or her audience and how that audience perceives him or her. He evaluates the impact on his current subject and works to confirm his image, to rework or transform it to produce an impression that meets the requirements of his argumentative project" [10].

The pre-discursive *ethos* in this context is not limited to the positive actions that the defendant would have taken in favour of democracy, but is also characterized by the prejudices that both homogeneous (judges) and heterogeneous (public opinion) audiences would have had of him before the trial. In order to overturn the verdict of a possible pre-judgment, Laurent Gbagbo's personal traits, moral values and democratic actions proposed as discursive evidences will give meaning to his nature as a claimed democrat. The argument will therefore combine the discursive and pre-discursive *ethos* of the speaker, the defence counsel.

3. The Speaker, Between Discursive and Pre-discursive *Ethos*

R. Amossy indicates that "in Roman oratory art, inspired by Isocrates (436-338 BC) more than by Aristotle, *ethos* is a matter of morality" [10]. In this same regard, D. Maingueneau points out that in both *Politics* and *Rhetoric*, Aristotle defines *ethos* as "both properties attached to the speaker as he states, and stable provisions lent to individuals inserted in communities." [8]. These two dimensions of the *ethos*, backed by the speech delivered, are therefore studied here through the defendant's enunciative posture and his oratory morals.

3.1. The Defendant's Enunciative Posture

The enunciative posture is the attitude through which the speaker legitimizes his/her argument. As an immanent manifestation of the *ethos*, it allows the speaker to position himself/herself through his/her discourse. According to Aristotle, in order to convey this positive image of himself/herself, the speaker can play on three fundamental qualities: "caution "*phrónesis*", virtue "*aretè*" and benevolence "*eunoía*"[11]. It is through a system of clutch and disengagement that the speaker makes this argumentative trilogy work.

The notion of caution (*phrónesis*) refers here to a statement made by the defendant, from which he wishes to disassociate himself. Democracy in Africa, according to the knowledge of beliefs⁸, is marred by deviations and abuses. Pretending to be a democrat could therefore lead to confusion about the practices generally observed on this continent.

influence the verdict of the trial), the particular audience (L. Gbagbo's supporters). These three entities that strategically motivate the defendant's argument.

8 "The knowledge resulting from human activity that seeks to comment on the world, that is, to make the world no longer exist for itself but exist through the subjective view that the subject takes of it" [12].

Since any speech is part of an open field of interpretation, especially in a judicial context where an adventurous word can be used as evidence against the defendant, being precise is not a matter of detail: "I do not govern with my family. I am a Head of State, President of the Republic. (...) Maybe that's common practice in Africa, but not in Côte d'Ivoire, at Gbagbo's time". The defendant speaker defends the empirical being by putting forward his ethical values, a symbol of a high awareness of state management. The self-referentiality brought about by the emphasis between the "I" and the "I" reflects a full awareness of the responsibility assumed.

Moreover, from the standpoint of the political horizon that Laurent Gbagbo envisages for Africans, there is, on the one hand the sovereign will of the peoples to choose democracy as a mode of state management and, on the other hand the freedom to be able to fully exercise this mode of governance without the influence of any power. In his own words: "(...) whenever a European or Western Head of State told me to practice democracy in Africa, I replied to him, we need democracy, not because you say so, but because we Africans actually need it to build our states."

The speaker proposes himself as a model of a democrat for the benefit of his own people. This polite refusal not to fall *ipso facto* into this governance scheme which outcomes are sometimes abstruse, gives him the status of an informed observer. The distance taken from the connivance very often observed between some African Heads of State and their Western political godparents is summed up here by the Africans' self-determination to think for themselves about their destiny.

In addition to caution as a strategic argument means, there are virtue (aretè) and benevolence (eunoía). From Latin *virtus*, moral strength or courage, virtue is perceived as "a firm disposition of the soul to do good and to flee evil"⁹. Indirectly, benevolence (eunoía) can be considered as a hyponym of virtue. In Laurent Gbagbo's work, kindness and virtue communicate at the rhythm of an unlimited investment that, after the fact, takes on a sense of naivety: "(...), I have travelled all over Africa. (...) In Pretoria (...), I have requested Ouattara for the translation between Tabo Mbéki and myself."

The rhetoric of "self-giving" is anchored here through the indefinite adjective "all". The iterative "I" confirms the idea of abandoning the respondent to the work of a negotiated way out of the crisis. If "To travel all over Africa" is the expression of a readiness to make oneself available to the well-being of fellow citizens, it emerges as a filigree an overconfidence placed on political opponents: "I have requested Ouattara for the translation (...)". As such, virtue and benevolence are qualities. But within the framework of their effectiveness here, these dimensions of the human take a strategic turn of misreading the political game, all the more so since it is as President of the Republic that the defendant acted without resignation.

Indeed, when a state is assaulted by enemy forces, the President of the Republic has the right to work for the security and preservation of the integrity of goods and people by all means, including military resources. But, according to the speaker, persisting in the discussion to bring peace was a free choice, linked to his humanism: "We were assaulted in 2002, I did my job, that is to say, I have never believed that Côte d'Ivoire would emerge through the war. Never thought that. I have always thought we would work it out through dialogue, even though I know they're wrong".

The adverbs "never", "always" show a determination of the defendant to respond to adversity through dialogue. The passage from the past tense to the present one makes for a frantic approach which social stability challenge was an indisputable primacy. Similarly, respect for the face of others leads him not to name his executioners. The call for "on" and "they" speakers leaves it to the audience, in its entirety, to deliberate according to the data submitted for its appreciation. The reminder of the efforts undertaken to restore peace in his country, in defiance of his dignity as President of the Republic, is an opportunity for the defendant to controvert the charges against him. In fact, it is "in the sense that the speaker's arguments "coincide" with what the audience already knows on the subject approached in the speech"[13] that a possible reversal of the initial situation is likely to take place, something that Laurent Gbagbo has well understood.

In short, the fact that the defendant abandoned himself to the common sense of the judges, as well as the ultimate recourse to the restoration of his *ethos*, is the basis here for the issue of his acquittal at trial. But it is not only the enunciative posture that underlies his argument, the oratory morals also participate.

3.2. Oratory Morals

Oratory morals are discursive evidence based on the speaker's life. The speaker's life-style and personal experiences give the speech a persuasive force. It is this opinion of Quintilian that R. Amossy evokes in these terms: "the argument advanced by a man's life has more weight than that which his words can provide" [9]. Here, Laurent Gbagbo makes his principles of life coincide with his vision of democracy, and this is not only related to his discourse. Indeed, in his book *Côte d'Ivoire, Pour une alternative démocratique*, he pointed out:

"(...) history teaches us that no enslaved people can effectively face the challenges of humanity without first breaking their chains. Underdevelopment in servitude accentuates underdevelopment. We are well aware that democracy is not a miracle cure that will magically solve all our problems. But it is an essential prerequisite" [14].

This suggests that his commitment to democracy is consubstantial with his legal person. Similarly, in order to give meaning to his argument, the defendant will leave it to his entourage to testify to this character which has always been one of his strengths in his political struggle: "the people I went to school with, when I was elected president, they

9 Littré (2007: 7200).

were not surprised because they knew of my commitment". Through the anaphoric representative "they", related to the indefinite nominal phrase "the people", the defendant gives him a judgment on the basis of testimony. The plural voice of the *ethos* locates a leader around whom the specific audience (class friends), through their dialogical voice, give credit to the prisoner. This assertion is a specific argument that the speaker submits to the homogeneous audience (the judges). The praise given in the form of a verifiable testimony is a key point that determines the course of its socio-political evolution.

From this perspective, the strength of the pre-discursive *ethos* depends here on the assertive intensity that bestows on the discourse an equivalent persuasive stake: "because that is, indeed, the very nature of man. They walk, leaving their footprints on the path they follow. So we can find him again". The boldness of this proposal implies a change in the pre-established perspective of the trial in the light of the charges alleged against the defendant. By emphasizing the verifiability of this aspect of the speech, the defendant is beyond reproach. He demonstrates that he has nothing to hide, nothing to be blamed for.

Moreover, to lend the flank to a background check is to implicitly defy any accusations against the guarantor of his supposedly exemplary career path, according to the path recognized to any freedom fighter. In his speech, Laurent Gbagbo makes a decisive act through an authentic *ethos*. Through this envisaged change in the image attributed to him, he creates a world of discourse that presents judges with a stunning situation: one in which the cliché of dictator is eliminated, because a dictator cannot have laudatory traces linked to an ardent desire to be open to dialogue and the common good.

The objective for the defendant is to establish a trustworthy relationship with the judges through the presumed attitude of his humanism. Indeed, when he states, "We were assaulted in 2002, I did my job. In other words, I have never believed that Côte d'Ivoire would emerge through the war. Never thought that", he suggests a thinking being who acts in a situation, but he reveals a character of its own that derives from the empirical being. Thinking democracy or at least wanting others to have a shared balance of life, starts by accepting to live with them regardless of the situation. Acting here does not presuppose a figuration, but a value of being in oneself. It is the deep values of his person that Laurent Gbagbo wants to have admitted. If the 2002 attack allowed him a reply *manumilitari* as president of the republic, the interest in the discussion reflects rather as a subsequent value linked to his moral attributes.

The repeated use of the adverb "never" reflects a self-denial whose expressiveness formalizes a moral pact between the speaker and the empirical being. In Aristotle's terminology, Laurent Gbagbo expresses a *hexis*, that is, a state of mind, a permanent willingness to endure suffering and to avoid harming others. This makes it possible to reach the meaning of his action before the court regarding the provision of his books to the court "I will send a batch of

Gbagbo's books to the prosecutor's office". Indeed, in this discursive scheme that he puts forward, the objective is to show himself as he is. The preconception that instructs the trial is subject to reframing. P. Charaudeau, on this attitude of the speakers in the political game, underlines:

"(...) the political subject is led to play various discursive strategies: building images of himself, in order to make himself credible in the eyes of the citizen authority (*ethos* of credibility) on the one hand, and attractive on the other hand (*ethos* of identification). (...) The result is that political discourse is a place of trapped truth, of "pretending" where what counts is not so much the truth of this publicly launched word, but its power of persuasion, its veracity" [15].

Indeed, the *ethè* of credibility and identification that Laurent Gbagbo wants the audience (the judges) to admit always gather according to P. Charaudeau the strong ideas like "I am as you see me", "I do what I say", "I have nothing to hide" [15]. The discharge or defence is not conducted simultaneously, it is the subsequent indication of the personality of a committed man who strives for the interest of common sense. The discursive instance thus becomes for the defendant a place to show his innocence through his morals. His word states an attitude that shows a character, which character retroactively is supposed to give value to his word. There is therefore a game of balance between the moment and the being.

Even better, in his celebration of democracy as a propitiatory condition for social elevation within everyone's reach, the defendant reminds us of his difficult past in a kind of openness and reconciliation with all the "ill-born" people of the world: "And then we, who come from very modest families, if there is no democracy, we would never have a high office". The inclusive strength of the "we" determines an ideological communion with this group of its audience (socially disadvantaged people), for whom it represents a model of success thanks to the relative equality of opportunity that democracy promotes among citizens. Through the praise given to democracy as a means of reducing social disparities or equal opportunities, the idea of a collective *ethos* emerges. As a product and a witness to the advantages that characterize it, it is indebted.

Democracy is not a pretext for expropriating citizens' properties, let alone a place for the exercise of power for the benefit of a minority. If the defendant seeks democracy for Africans, it is first of all in relation to the heterogeneous realities observed in the lives of his people, and then because of the diffuse geo-ethnic configurations that may lead to population disagreements. In this regard, the implicit interaction he engages with the prosecutor about the geographical representations in his country is done deliberately: "Madam, when looking at Côte d'Ivoire, how else should we choose the Head of State unless we use democracy? (...) That is why I am committed to the struggle for democracy".

The choice of democracy as a mode of governance is not a situational option relating to discursive scenography, it is a

value that the speaker associates with his long-held convictions. The image of a democrat that he projects of himself through the discourse is thus linked to his identity. Successfully repositioning its *ethos* should both facilitate his acquittal and provide a new democratic impetus both in Côte d'Ivoire and Africa.

4. From an Ethos Repositioned to a New Democratic Era in Côte d'Ivoire and in Africa

The aim here is to show how the data previously developed interact to contextualize the issue of a new democratic order in Côte d'Ivoire and, consequently, in Africa. Laurent Gbagbo's choice to argue around a democratic ethos is understood as an assignment under his responsibility. In the International Criminal Court's courtroom, he consistently portrays himself as a worthy and confident speaker in accordance with his deep convictions. He does not show himself to be nervous since, he believes, there is nothing wrong with him. Therefore, the advocacy is very similar to a lecture show on democracy.

"When you take the Chairman of the electoral commission away one evening, take him to a one of the candidate's electoral headquarters, then invite an international television channel to tell them to talk and then film him and broadcast it the following morning, that's not very democratic. This is not democracy."

This scenography that he allows the homogeneous and heterogeneous audience to assess is evidence of the disapproval he has always displayed when a "European or Western Head of State (...) constantly called for democracy in Africa (...)". Indeed, with regard to both debates and actions carried out during the post-electoral crisis in Côte d'Ivoire, the notion of democracy has been ideologically recovered in a variety of ways. According to Laurent Gbagbo, "Democracy is about respecting texts, beginning with the highest of legal norms, namely the Constitution", which implicitly assumes that it is the opposing camp that has shown itself to be anti-democratic. Such an assessment triggers the reflection on the abnormality that has been established as a norm. It is therefore no surprise to hear him reaffirm this principle of commitment to democracy and institutional laws in his latest book written in collaboration with F. Mattei:

"(...) whether by force or diplomatic pressure, any attempt to challenge the democratic expression of a people and any attempt to deny the representativeness of the holders of institutions necessarily leads to a questioning of the very existence of institutions and to the undoing of the structure of States"[16].

Among other things, G. Burdeau's opinion on the physical manipulation of the concept of democracy is instructive. For him, democracy varies "according to the environment and time in which it is employed, and according to the doctrinal context in which it is found" [17]. So, the most rewarding

application of democracy is of paramount importance. For the defendant speaker to insist on the semantic hypocrisy about democracy further induces the paradox of his happiness in being declared innocent and having his freedom restored at the expense of the other people's interest over his own. Undeniably, the aim of the scenographical body is the wish for an acquittal. But the defendant seems to be more concerned about other people than about himself. This approach to promoting other people's welfare before his interests implies a very high moral value for his benefit.

Moreover, the dialogue game he sets up with the court highlights three actors called upon to act in concert: "I rely on you, because I hope that (...) all these Africans (...) will understand that salvation for African States will be achieved through the observance of both the Constitutions they adopt and their subsequent laws".

This constant refrain of an appeal to Africans unity is the keystone of the systematic challenge of a redefinition of democracy as a symbol of a new challenge to take up. The defendant's wish is to make the transcendental dimension of democracy match with the physical approach. That being said, the advocacy of a collective *ethos*, as an expression of a common destiny, better characterizes his altruism.

Incidentally, the discursive solidarity that he displays in his relationship with his supporters (special audience) and all Africans (heterogeneous audience) refers to the provision of his *ethos* as a "collective identity and referential benchmark"[18] of which the realization depends on the judicial body (homogeneous audience). Thus, even if he seems more concerned about denouncing the democratic abuses backed by Western sponsors, the defendant has no other recourse than to rely on the judges' good faith. The judicial system is known for its impartiality. And according to the logic underlying Laurent Gbagbo's reasoning, to avoid this impartiality from being subject to a counter-trial, this judgment is then presented as an opportunity for the International Criminal Court to cleanse its image. From a state of conflict, he moves the discourse forward under the touch of a rapprochement of positions.

After having showing his moral values, the defendant speaker sets equal chances of re-balancing pre-constructed negative images. He therefore urges the court to adopt the principles of "neutrality" and "impartiality". According to P. Charaudeau, the concepts of "neutrality", "impartiality" fall into the category of these "magic words" which have the force of law on the market of the social values of the sign and are not subject to questioning or elucidation."[19]. The argumentative benefit of his *ethos* originally in contract with his audience and now extends to the International Criminal Court. The advocacy thus carries the challenge of a new democratic era in Côte d'Ivoire and Africa through his acquittal.

5. Conclusion

In Aristotle's theory, the discourse is the most appropriate place for the speaker to show his or her moral traits and

values. The *ethos* is first perceived as an effect of discourse. However, there are contexts where the speaker's lifestyle must be taken into account. In a judicial proceeding such as this case study, the influence of the preliminary opinion of the audience on the defendant cannot be ignored. The defendant speaker is a social being whose acts are ascertainable. That being said, the approach of the Roman tradition of the *ethos* which conceives it as a discursive data that takes into account the weight of life of the subject is not to be neglected. These are both personality traits, and the moral values skillfully exploited through the discourse that lead the audience to see in the speaker a honest, worthy and sincere subject. It emerges a link between discursive and pre-discursive *ethos*.

Laurent Gbagbo's *ethos* is built around the evocation of his career as a democrat, his efforts to discuss after the 2002 assault to restore peace in Côte d'Ivoire and his belief in a better democratic horizon for Africa. He sometimes proved to be committed to making the truth of the facts heard, sometimes he merely reported them in order to let the audience in its various components draw their own conclusions. These different processes have made it possible to give a representation of his personality. The *ethos* of democrat that he has constructed argumentatively is seen as an effect of discourse at the foundation of his very nature. To a heterogeneous and homogeneous audience, his purpose is to give the image of an idealist who commits both his body and soul to the well-being of his countrymen through the triumph of the truth. Through this strategic duality that it brings into play, his acquittal is the mediation of a new democratic era for Côte d'Ivoire and Africa.

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