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Language Dynamics in Supreme Court Oral Arguments

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Abstract

During conversations, it is not uncommon to notice that interlocutors start using similar words and grammatical structures. This alignment of language use is thought to help comprehension, as well as lead to an alignment in underlying representations. In the context of negotiations, the degree to which parties exhibit such an alignment can indicate the likelihood of reaching an agreement. The present study expands this notion to the courts and uses corpus statistics to examine the relationship between the alignment of semantic content during oral arguments and the decision reached by the justices. The analysis demonstrates that lawyers that align their language with that of the justices are more likely to have a decision in their favor. Additionally, as befits the power dynamic between justices and lawyers, lawyers are more likely to align their language with the justices than the justices are to align their language to that of the lawyers.