Book Review

Language and Law

Reviewed by Hulya Kocagul Yuzer

Aston University, UK

As the title indicates, this book aims to provide students with an introductory overview of the field of language and the legal system; including how the legal process and legal texts are embedded in our daily routines not only in courtrooms and legal archives. At the same time, the editors make it clear that it is the first volume in a new series titled *Language &...* which is meant to provide the best new thinking about language for students. Forthcoming volumes in the series will focus on Language and Business, Language and Media, and Language and Journalism.

This volume is an introduction to Language and the Law. That it serves this purpose well is most clearly demonstrated by the concise explanations of terms and theories. The main argument that flows through the book is that language and the law are intertwined and that words have a great significance in the study of the law.

The book is organised in two ways: firstly, each chapter introduces either a linguistic concept or an analytical method, for instance the trials of language or analysing texts for the purpose of a trial; secondly each section details a stage of the legal process like legal languages that are found in formal documents (legislation and contracts), the construction of witness statements by police or the courtroom context. The chapters progress through the legal stages as they would usually be experienced by a participant in a case, except that in the first chapter explains the concept of legal language and at the final chapter spoken and written signs. By contrast, each section focuses on a different area where language and the law intersect using relevant examples, making reference to a wide variety of cases, and range of activities. A comprehensive list of references is also included. The real strength of this book lies in its interaction with the reader, it constructs a clear conception guided by theoretical knowledge and the activities provided

in each section (e.g. p.58), and the interesting real-life examples ranging from data taken from President Obama's first swearing into office (p.50) to the alcohol ban poster put up in London train stations in 2008 (p.7). This book really engages the readers.

Each chapter is clearly written and quite short – approximately 16 pages – which is a good length for those who do not already have any knowledge of the field. Chapter 1, "Finding the language", begins by giving examples of legal language taken from daily life and then introducing Jakobson's (1960) six functions of language. Chapter 2, "The language of law" defines the notion of written legal language especially in legislation and contracts and how it works. The next two chapters 'The Language of Law' and 'Don't do it!' explain the specific functions of language, and then discuss conversational maxims – including examples from police interviews in order to exemplify how the maxims operate – as well as introducing the reader to Grice's co-operative principle. Chapter 5, "The trials of language", examines both interactions with the police, by looking at how witness statements are created, and the way lawyers question witnesses and suspects in the courtroom context. There are examples of courtroom interaction from a variety of countries in order to demonstrate differing rules of interaction. Some concepts like turn taking and 'adjacency pair' from conversational analysis (Sacks *et al.*, 1974) are also explained in this subsection. The next chapter "Different Language different rules" concentrates on the issues of interpreting in the courtroom context and also the problems involved in trying to identify a person's origin by examining their linguistic output. It can be concluded that although native speakers may think of themselves as experts on their own language this is inaccurate and seldom the case in a legal setting.

Chapters 7, "The CSI effect?", and 8, "The pen is mighty", look at spoken then written evidence respectively in order to discuss how far linguists are able to help lawyers answer successfully such questions as; 'who wrote this text' or 'who was speaking'. In order to illustrate this, the author reports one of the famous forensic linguistics cases, that of Derek Bentley, in which Malcolm Coulthard (1994) focussed on certain linguistic features, for instance the recurrence and marked syntactic positioning of 'then' after the linguistic subject ("I then" as opposed to "then I") in order to argue that these linguistic choices were not compatible with Bentley's idiolect. The polemical concept of 'linguistic fingerprinting' is also explained in Chapter 8. Mooney's conclusion is that forensic linguists can be called to analyse texts in the court process and that linguistic text analysis can produce reliable evidence in certain cases.

Chapter 9, "Once Upon a Time", focuses on narratives in the legal context. It starts with the definition of narrative and continues with William Labov's (1972) model of analysis. This chapter is illustrated with examples taken from narratives produced in criminal trials. The final chapter, "Signs in time and Space". deals with such written signs as icons and symbols and pre-recorded spoken signs. The author illustrates the operation of these signs in daily interaction and explains their functions.

In conclusion, the author has collected a set of interesting real world examples of both written and spoken legal language. The book is intended as an introduction for students of legal studies and linguistics, it also provides an excellent basis not only for them but also for others who have had little experience and would like to learn about the field. Mooney manages to guide the reader on a smoothly flowing journey that begins with "Finding the language" and ends with "Signs in time and space". I strongly

recommend the book for any reader who has an interest in the connection between language and the law.

References

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