Reviews


The book Language and Law by Annabelle Mooney is an interesting preamble for language students, that introduces the learner to the world of linguistics, specialized legal texts and semiotics, making use of very suggestive examples from reality.

As a Research Associate at the Centre for Language and Communication Research at Cardiff University and Reader in Sociolinguistics at the University of Roehampton, UK, Annabelle Mooney shows a great interest not only in language, linguistics and discourse analysis, but also in Human Rights, citizens, immigrants and their dialogue.

Tackling with different kinds of specialized texts from fields like law, medicine, religion and culture, she reflects her critical thinking about the importance of
language and its peculiarities in specific domains, in her works that are worth mentioning: *Language, Society and Power Reader* (2011), *The Rhetoric of Religious Cults: terms of use and abuse* (2005) or *Citizens, Immigrants, Anarchist and other Animals* (2005). The main stress of her projects, as it happens also with the book *Language and Law* (2014), falls, more than on a theoretical aspect, on the changes in meaning and results that occur in language, when used in dissimilar sociolinguistic contexts.

At the sight of the title *Language and Law*, the reader may regard the book as a typical linguistic one that exposes, in tedious terms, the special vocabulary used in the legal field, together with different and complex linguistic theories discussed by experts of the discipline using the traditional methodology. But, a glance at the contents of the book shows ten chapters that have as titles, distinct exclamations that can be interpreted as orders (e.g. chapter 3: *Don’t do it!* or questions and statements that are not necessarily related to legal settings. These headings convince the person of learning that the edition is different from the textbooks that tackle the same topic and the tone used is definitely a more familiar one.

Moreover, trying to find out what each chapter is about and coming across sentences like *Twittering away, Read this!, Happy yet?*, etc., the curiosity of the reader arises even more, especially of young scholars who have an interest in the linguistics, semiotics or media domains, but find the process of learning theories very demanding.

I consider that the work would be especially attractive to young students because the textbook can serve as a useful introduction to the most important linguistic concepts, explained by several famous linguists as Jakobson, de Saussure, Halliday, just to name some of them. The explanations of the ideas are presented in an approachable way, using an informal style characterized by an easy and comprehensible vocabulary. The phrases are not complex, composed of short sentences and an informal tone.

On the other hand, the author not only explains those theories, but also offers very suggestive examples to support her arguments and to make scholars understand legal language and its consequences from a more natural and accessible viewpoint, from the people’s own experiences. As the author points out, legal language is present not only in the courtroom or at the police station, but also in our everyday routines, like commuting using public transport, renting an apartment or buying a product or a service. In these situations, the language
used, which seems normal, can hide different meanings that are discovered only if something wrong happens and the case is transferred to a juridical context.

Annabelle Mooney, using the experience of teaching forensic linguistics, and being aware of the difficulties that students can find when dealing with this kind of concepts, introduces the ideas from a theoretical perspective, after which she proposes examples that show situations that we have to deal with on a daily basis and that almost always involve statutory contexts. Then, she continues suggesting some practical activities that invite readers to enlarge their horizons and to improve their critical thinking. For these exercises there are also given some clues for the best problem-solving methodology and further resources. Other issues that are provided in order to help learners for a better understanding of the notions discussed are the summaries and the conclusions submitted at the end of each section.

Both, the examples and the activities proposed refer to legal language, but in different contexts. For example, posters on public transport that present different rules as part of the terms and conditions of the contract between the company that offer the service and the user, messages on social networking, such as Twitter that can imply legal consequences, road signs to support semiotics principles, courtroom or police interviews to assess the validity of the legal language code, are ingeniously introduced in the textbook to explain the linguistic and jurisprudence concepts and the relationships between them. These original and common illustrations represent some topics that in the current society, dominated by TV dramas related to criminal issues, catch the learner’s attention and enhance their imagination. For example, she talks from an objective point of view about the influence that people get from criminal series like CSI (Criminal Scene Investigation) and how their perception of evidence has changed after watching this series. The problem that Annabelle Mooney brings up is that not only the normal people are affected by these “false” images, but also juries in the courtroom, who, doubting more the experts, will expect the type of evidence that they had seen in the film. All the same, the criminals will become more aware of the police methodology and they will eventually be better at removing proofs.

This is not the first time that the author refers to famous films that may influence people’s expectations in legal settings. In her article, The Drama of the Courtroom (2006), she makes reference to another well-known series, in this case about lawyers, Ally McBeal, discussing the wrong perceptions the people receive from the audiovisual.
Using examples from different circumstances, she also convinces the readers that in order to understand the meaning and the intention of a message, apart from the context, it is not enough to know the linguistic rules that govern the process of communicating, but also some other significant elements, like the paralinguistic, sociolinguistic and cultural factors.

It is also true that sometimes legal language is not obviously used and we understand the details implied in communication because of the common sense, but many times a message can have multiple interpretations. To maintain her theory, Annabelle Mooney places a good example referring to the language used in social networking, where threats or warnings can be interpreted literally and result in legal matters. The case in point gives the readers the opportunity to see some of the consequences of their verbal acts and invites them to a deeper reflection about the people’s freedom of speech right and its multiple interpretations.

Even if it is widely known that legal language tends to be objective, concise and precise, the writer suggests also the existence in specialized texts of a poetic function and creativity. Using imagination is essential for a perfect choice of the vocabulary needed, as a good structural order of words is crucial for a good definition, for the lawyers’ ingenuity or for a good advertising.

In speaking we use different acts to infer distinct speech acts as affirmations, questions, threatens, warning, promises or intentions, so we need to be creative and to understand the language in order to infer also the speaker’s intentions. In written legal language there are also different discourses, but it is more complex than the verbal speech because of a specific syntactic structure which needs to assure precision, appropriateness and concision. Anyway, the long sequences used in written language are quite easy to understand because they are composed of strings of simple sentences.

On the other hand, even if the writer gives some insights into linguistics, talking about the functions and the principles that represent the foundation of language, semiotics and specialized terminology texts, she tends to emphasize more the “extra” aspects that can seriously affect not only the communication process, but also the understanding of the message, the speaker’s intentions and implicitly, the consequences of the speech acts.

For instance, she mentions factors like different legal systems of distinct countries or communities, discordant varieties of a language, giving as example...
the Australian Aboriginal English (AAE) that reflects many different pragmatic aspects that Standard English does not possess and makes rules of interaction clash, involving a greater level of discrimination or injustice. As an example, in this specific English version, silence is seen as a form of respect before answering a question. Contrary to the significance that it has in Standard English or other languages, silence in this illustration shows that the interviewee considers the question seriously and not that the person is not willing to answer or that lies. This is only one of the many examples of pragmatic differences that may appear between different versions of the same language or different ones.

All the same, the context where the act of speech is performed is essential because legal communication may be functioning according to the normal communication rules, but there can also be applied some particular guidelines. For instance, the maximums of quantity and relevance when speaking with the police are not relevant, affecting the peoples’ defense when *Miranda warning* is implied.

Another case is represented by the terminology and techniques of conversation in a courtroom, where the closed questions are more useful than the open interrogations and the differences between systems when it is applied the common law or the civil one. The norm in a tribunal is that the lawyers, being the experts of language, are the ones in charge to ask questions and the witness to answer them.

In addition, translation and interpreting are also considered elements that can influence the reception of a message and that may affect the results of the speech, with special emphasis in legal settings. The author argues, with reason I would say, that a translator specialized in legal field should be also a law professional, not only a bilingual person because for a good communication, it is necessary first to understand how and why a text was produced. I totally agree with the writer and the evidence that she offers as examples of misunderstandings due to translators’ omissions or their ignorance about the subject. In these cases, the responsibilities of the translators / interpreters are more considerable because the life of a person is at stake.

It is also important that the interpreter be a professional and not an amateur because of the rules and the routines of the court, where the interpreter cannot ask for clarifications, being it in-person or telephone interpreting.

Apart from the translational difficulties in legal context, problems arise also from the style of the interpreter, who tends, regardless of the original manner of
speaking, to use formal English and to raise hesitations due to the hardness of finding an appropriate formulation. These techniques can affect the conception that the court makes about the speaker’s character and eventually influence the whole trial.

Once again, the writer’s purpose is to make learners aware of the jobs’ complexity in legal field. It reflects that the translator / interpreter is not a machine, but has many responsibilities, as the linguist experts are not only concerned about language, but also need to have training and expertise to help judicial professionals in evaluating evidence and contribute to investigations and trials.

In the same way that translators need to be specialized in legal translations, linguists need to be experts in Auditory Phonetics, written communication or Geosemiotics. Furthermore, normal people need to know the code, the conventions of the communicating process, in order to give words or signs a meaning and to understand the world they live in.

Annabelle Mooney does not overlook the fact that even if legal language seems in many cases a normal speech, without essential law knowledge, it can result, actually in a quite opaque code of transmitting and receiving information. While it can be effective and comprehensible for professional authorities, for normal people with no training in the forensic domain, it can look like a completely different world.

The book *Language and Law* by Annabelle Mooney invites us to reflect on the differences that take place in the process of communicating when the context is of legal concern and on how a person can manipulate or change a person’s life just juggling with the appropriate words.

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