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# Language And The Law

**Peter M. Tiersma**



## Language And The Law:

Language and the Law John Peter Gibbons, 2014-09-25 Explains and describes the ways that language use in the legal system can create inequality and disadvantage It examines the three main areas where the two intersect the central issue of the language of the law the disadvantage which language can impose before the law and forensic linguistics the use of linguistic evidence in legal processes Each section of the book is preceded by an introduction by the editor which sets the paper within a conceptual framework Lawyer s opinions are not neglected even though the collection is written mainly by linguists The section concludes with a lawyer s response in which a prominent lawyer with a particular interest in the content of the section responds to the papers

**The Oxford Handbook of Language and Law** Peter Meijes Tiersma, Lawrence Solan, 2012 This book provides a state of the art account of past and current research in the interface between linguistics and law It outlines the range of legal areas in which linguistics plays an increasing role and describes the tools and approaches used by linguists and lawyers in this vibrant new field Through a combination of overview chapters case studies and theoretical descriptions the volume addresses areas such as the history and structure of legal language its meaning and interpretation multilingualism and language rights courtroom discourse forensic identification intellectual property and linguistics and legal translation and interpretation Encyclopaedic in scope the handbook includes chapters written by experts from every contentint who are familiar with linguistic issues that arise in diverse legal systems including both civil and common law jurisdictions mixed systems like that of China and the emerging law of the European Union

**The Language of the Law** David Mellinkoff, 2004-05-13 This is that rare book which both informs and entertains It is scholarly and sprightly an unusual combination for any book let alone one treating of the law Lawyers and laymen alike can read it with profit and amusement I hope many do for it deserves a wide audience The Honorable Arthur J Goldberg 1908 1990 United States Supreme Court The New York Herald Tribune A superb piece of writing lucid witty meticulous in scholarship and unfailingly interesting Robert R Kirsch Los Angeles Times We now have a full scale study of our legal language that is written with an extraordinary awareness for vacuous words and phrases and an astounding amount of research into their history and usage This book has a practical value to every lawyer who drafts a document a pleading or even a letter It is a great plea to bring the law up to date by awakening us to the empty verbalisms in which we think we are housing our thoughts It is a rare book that has value for all lawyers despite the tendency of publishers and reviewers to make this claim with great frequency Here however is a rarity No lawyer could fail to learn many facts of surprising interest But beyond this The Language of the Law presents a subtle challenge to the American Bar a stimulus to improve our work and our profession by sharpening the product of our minds If we meet this challenge head on we can perform a far more fundamental and genuine service to our clients the public and to ourselves than any other area of improvement including court reform can possibly offer Ray D Henson American Bar Association Journal It should be compulsory reading for lawyers and judges for a layman it is learning

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**Language and the Law in Deaf Communities** Ceil Lucas, 2003 Three attorneys and three linguistics scholars contribute five essays focusing on the intersection of language and law in deaf communities Coverage includes the language problems of minorities in legal settings the interrogation of deaf people interpretation issues for juries that include deaf people

**Language, Meaning and the Law** Christopher Hutton, 2009-01-19 Language Meaning and the Law offers an accessible critical guide to debates about linguistic meaning and interpretation in relation to legal language Law is an ideal domain for considering fundamental questions relating to how we assign meanings to words understand and comment on texts and deal with socially and ideologically significant questions of interpretation The book argues that theoretical issues of concern to linguists philosophers literary theorists and others are illuminated by the demands of the legal context since law is driven by the need for practical solutions and for determinate outcomes based on explicit reasoning Topics covered include the relationship of linguistics to legal theory indeterminacy and statutory interpretation the theory and practice of using dictionaries in law defamation and language in the public sphere and the distinction between perjury and deception This book does not assume specialist knowledge of the field and is designed as a self contained advanced introduction to a fascinating area of study The reader will gain an overall insight into issues and debates about meaning and interpretation as well as an understanding of how these questions are shaped by the legal context Language and the Law Monwabisi K. Ralarala, Russell H. Kaschula, Georgina Heydon, 2022-06-14 Language and the Law Global Perspectives in Forensic Linguistics from Africa and beyond is the third volume in a series of books designed to contribute and respond to growing interest in forensic linguistics or language and the law on the African continent Drawing mostly on contexts where traditional African laws and Western laws are practised side by side and where there are discontinuities between local knowledge systems belief systems and language practices on the one hand and official languages of law discourse conceptualisation and jurisprudence documentation on the other the chapters in this volume problematise among other issues the mediation practices or lack thereof of language and legal processes discourse strategies and complexities in misinterpretations in second language court contexts and the miscarriage of justice that these may entail *United States Legal Language and Culture* Teresa Kissane Brostoff, Teresa Brostoff, Ann Sinsheimer, 2013-05-30 In Legal English experienced educators and professors Teresa Kissane Brostoff and Ann Sinsheimer answer the needs of law students unfamiliar with the use of English in legal settings They introduce the student into a new world of study of the law by carefully guiding them through the vital skills and techniques they will need to feel comfortable and proficient in English speaking and American legal culture *Speaking of Language and Law* Lawrence Solan, Janet Ainsworth, Roger W. Shuy, 2015-08-25 Among the most prominent scholars of

language and law is Peter Tiersma a law professor at Loyola Law School with a doctorate in linguistics co editor of The Oxford Handbook of Language and Law Tiersma s significant body of work traverses a variety of legal and linguistic fields This book offers a selection of twelve of Tiersma s most influential publications divided into five thematic areas that are critical to both law and linguistics Language and Law as a Field of Inquiry Legal Language and its History Language and Civil Liability Language and Criminal Justice and Jury Instructions Each paper is accompanied by a brief commentary from a leading scholar in the field offering a substantive conversation about the ramifications of Tiersma s work and the disagreements that have often surrounded it

**Comparative Legal Linguistics** Heikki E.S. Mattila,2016-05-23 This book examines legal language as a language for special purposes evaluating the functions and characteristics of legal language and the terminology of law Using examples drawn from major and lesser legal languages it examines the major legal languages themselves beginning with Latin through German French Spanish and English This second edition has been fully revised updated and enlarged A new chapter on legal Spanish takes into account the increasing importance of the language and a new section explores the use in legal circles of the two variants of the Norwegian language All chapters have been thoroughly updated and include more detailed footnote referencing The work will be a valuable resource for students researchers and practitioners in the areas of legal history and theory comparative law semiotics and linguistics It will also be of interest to legal translators and terminologists

**Working in Language and Law** H. Kniffka,2007-08-22 Working in Language and Law is a detailed account of the forensic linguistic work done by the author in the last 35 years It provides exemplary insights into an ever expanding field of expert testimony focusing on the situation in Germany since the seventies and covering all major areas of the field

**Language and the Law** Douglas A. Kibbee,2016-08-04 A comprehensive overview of the political and legal consequences of linguistic inequality in the United States

**The Oxford Handbook of Language and Law** Peter M. Tiersma, Lawrence M. Solan,2012-03-08 This book provides a state of the art account of past and current research in the interface between linguistics and law It outlines the range of legal areas in which linguistics plays an increasing role and describes the tools and approaches used by linguists and lawyers in this vibrant new field Through a combination of overview chapters case studies and theoretical descriptions the volume addresses areas such as the history and structure of legal language its meaning and interpretation multilingualism and language rights courtroom discourse forensic identification intellectual property and linguistics and legal translation and interpretation Encyclopaedic in scope the handbook includes chapters written by experts from every continent who are familiar with linguistic issues that arise in diverse legal systems including both civil and common law jurisdictions mixed systems like that of China and the emerging law of the European Union

Legal Language Peter M. Tiersma,1999 This history of legal language slices through the polysyllabic thicket of legalese The text shows to what extent legalese is simply a product of its past and demonstrates that arcane vocabulary is not an inevitable feature of our legal system

**Forensic Linguistics** John Gibbons,2003-01-31

Forensic Linguistics is an introduction to the fascinating interface between language and the law Provides an integrated and fully theorized understanding of language and law issues Contains many helpful examples from genuine legal contexts and texts Discusses linguistic sources of disadvantage before the law particularly for ethnic minorities children and abused women **Language and the Law** Frederick Arthur Philbrick,2013-09 Language and the Law Sanford

Schane,2006-12-09 Looks at the common areas of interaction between linguistics and the legal process **Deep Apple Pie, Language and the Law in Canada** Keyvan Sayar,2013-11-17 According to Canadian poet Frank Oliver Call the soul of Canada is a dual personality and must remain only half revealed to those who know only one language With each of Canada s official languages comes indeed a mindset a culture a legacy In addition to quebécois bijuralism the federal provincial division of powers Nunavut s unique Aboriginal legal order and the influence of the United States language a too often overlooked element plays an essential role in shaping Canadian law In a globalized world where cultures meet and legal systems blend virtually all regional and global institutions created since the twentieth century have been faced with the challenge of producing multilingual rules acceptable and workable for all their members Despite its flaws and paradoxes the Canadian legal system is a fascinating example of legislating and administering justice in a truly multicultural society

**Law and Language** Michael Freeman,Fiona Smith,2013-02-21 Current Legal Issues like its sister volume Current Legal Problems now available in journal format is based upon an annual colloquium held at University College London Each year leading scholars from around the world gather to discuss the relationship between law and another discipline of thought Each colloquium examines how the external discipline is conceived in legal thought and argument how the law is pictured in that discipline and analyses points of controversy in the use and abuse of extra legal arguments within legal theory and practice Law and Language the fifteenth volume in the Current Legal Issues series offers an insight into the scholarship examining the relationship between language and the law The issues examined in this book range from problems of interpretation and beyond this to the difficulties of legal translation and further to non verbal expression in a chapter tracing the use of sign language at the Old Bailey it examines the role of language and the law in a variety of literary works including Hamlet and considers the interrelation between language and the law in a variety of contexts including criminal law contract law family law human rights law and EU law **Legal Language as a Special Language: Structural Features of**

**English Legal Language** Gaby Schneidereit,2007 Seminar paper from the year 2004 in the subject English Language and Literature Studies Linguistics grade 1 University of Dusseldorf Heinrich Heine Anglistisches Institut course Domain Specific English Language Language and Law 5 entries in the bibliography language English abstract The English language has taken over the key role in international trade legislation and policy making It has achieved the enhanced status as the dominant world language which has led to an increased demand for the training of competent specialists able to mediate Alcaraz Varo Hughes 2002 1 This goes along with a phenomenal increase in the teaching of English for special or specific purposes ibid 2

What is the reason for this development This piece of work might give an answer it dedicates itself to domain specific English language language and law It concentrates on the characteristics of the structure of legal English in particular An overview of the central structural features is given without claiming completeness Legal professionals aim at a precise explanation of facts which should leave no doubts This aim forces them to use a certain kind of language pattern such as including a high amount of definitions in legal texts along with numerous complex and ancient phrases deriving from Law French and plentiful enumerations which can all together form a single sentence covering several lines Dependent on which party they represent lawyers make frequent use of features that reduce the agent in his identity while emphasizing the action a matter of strategy which has the impeding of comprehension as a consequence Therefore the field of law becomes completely unapproachable for laymen who are scarcely able to follow legal discourse Even well educated native speakers often find it hard to understand the language used in court However the access to one s rights is important To begin with the reader will be provided with an *The Language of Law and the Foundations of American Constitutionalism* Gary L. McDowell, 2010-06-28 Argues that the Founders intended the Constitution to be interpreted according to the text s meaning and its framers original intentions

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