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# Law And Language

**Jan M. Broekman**



## Law And Language:

Just Words, Second Edition John M. Conley, William M. O'Barr, 2005-06-20 Previous edition 1st published in 1998

*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

**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

Just Words John M. Conley, William M. O'Barr, Robin Conley Riner, 2019-05-10 Is it just words when a lawyer cross examines a rape victim in the hopes of getting her to admit an interest in her attacker Is it just words when the Supreme Court hands down a decision or when business people draw up a contract In tackling the question of how an abstract entity exerts concrete power Just Words focuses on what has become the central issue in law and language research what language reveals about the nature of legal power John M Conley William M O Barr and Robin Conley Riner show how the microdynamics of the legal process and the largest questions of justice can be fruitfully explored through the field of linguistics Each chapter covers a language based approach to a different area of the law from the cross examinations of victims and witnesses to the inequities of divorce mediation Combining analysis of common legal events with a broad range of scholarship on language and law Just Words seeks the reality of power in the everyday practice and

application of the law As the only study of its type the book is the definitive treatment of the topic and will be welcomed by students and specialists alike This third edition brings this essential text up to date with new chapters on nonverbal or multimodal communication in legal settings and law language and race

**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 and entertainment of high order The Honorable Matthew O Tobriner d 1982 Associate Justice Supreme Court of California San Francisco Chronicle Brilliant and discursive treatise concisely and urbanely presented a remarkable stimulus recommended highly to the general reader as well as the wordy professional Hugo Sonnenschein Jr Chicago Daily News

*Rethinking Law and Language* Jan M. Broekman, 2019 The law language law theme is deeply engraved in Occidental culture more so than contemporary studies on the subject currently illustrate This insightful book creates awareness of these cultural roots and shows how language and themes in law can be richer than studying a simple mutuality of motives *Rethinking Law and Language* unveils today's problems with the two faces of language the analogue and the digital on the basis of which our smart phones and Artificial Intelligence create modern life

**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

*Meaning and Power in the Language of Law* Janny H. C. Leung, Alan Durant, 2018-01-18 Legal practitioners linguists anthropologists philosophers and others have all explored fundamental challenges presented by language in formulating interpreting and applying laws Building on centuries of interaction between legal practice and jurisprudence the modern field of law and language or forensic linguistics brings insights in linguistics and related fields to bear on topics including legal drafting and translation statutory interpretation expert evidence on language use and dynamics of courtroom interaction This volume presents an interlocking series of research studies engaged with different legal jurisdictions and socio political contexts as well as with the more abstract notion of law Together the chapters written by international leaders in their fields highlight recent directions in research and investigate in particular how law expresses yet also conceals power relations in its crafted use of words and in the gaps and silence between those words

*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 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

**Law, Language and the Multilingual State** Claudine Brohy, Theo du Plessis, Joseph-G. Turi, José Woehrling, 2013-07-03 The theme of the conference Language Law and the Multilingual State was determined to investigate the state juridical challenges facing multilingual societies Several related issues were addressed such as minority and indigenous languages globalisation and diversity language rights language ideology and language legislation

**Law, Language and Translation** Rosanna Masiola, Renato Tomei, 2015-02-21 This book is a survey of how law language and translation overlap with concepts crimes and conflicts It is a transdisciplinary survey exploring the dynamics of colonialism and the globalization of crime Concepts and conflicts are used here to mean conflicting interpretations engendering real conflicts Beginning with theoretical issues and hermeneutics in chapter 2 the study moves on to definitions and applications in chapter 3 introducing cattle stealing as a comparative theme and global case study in chapter 4 Cattle stealing is also known in English as rustling duffing raiding stock theft lifting and predatorial larceny Crime and punishment are differently perceived depending on cultures and legal systems Captain Starlight was a legendary duffer in India lifting a sacred cow is a sacrilegious act Following the globalization of crime chapter 5 deals with human rights ethnic cleansing and genocide International treaties in translation set the scene for two world wars Introducing unequal treaties e g Hong Kong chapter 6 highlights disasters caused by treaties in translation Cases feature American Indians the trail of broken treaties Maoris Treaty of Waitangi and East Africa Treaty of Wuchale

**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

**Rethinking Law and Language** Jan M. Broekman, 2019 The law language law theme is deeply engraved in Occidental culture more so than contemporary studies on the subject currently illustrate This insightful book creates awareness of these cultural roots and shows how language and themes in law can be richer than studying a simple mutuality of motives Rethinking Law and Language unveils today's problems with the two faces of language the analogue and the digital on the basis of which our

smart phones and Artificial Intelligence create modern life

### **Language and Culture in EU Law** Susan

Šarčević, 2016-03-09 Written by distinguished legal and linguistic scholars and practitioners from the EU institutions the contributions in this volume provide multidisciplinary perspectives on the vital role of language and culture as key forces shaping the dynamics of EU law The broad spectrum of topics sheds light on major Europeanization processes at work the gradual creation of a neutralized EU legal language with uniform concepts for example in the DCFR and CESL and the emergence of a European legal culture The main focus is on EU multilingual lawmaking with special emphasis on problems of legal translation and term formation in the multilingual and multicultural European context including comparative law aspects and an analysis of the advantages and disadvantages of translating from a lingua franca Of equal importance are issues relating to the multilingual interpretation of EU legislation and case law by the national courts and interpretative techniques of the CJEU as well as the viability of the autonomy of EU legal concepts and the need for the professionalization of court interpreters Union wide in response to Directive 2010/64/EU Offering a good mix of theory and practice this book is intended for scholars practitioners and students with a special interest in the legal linguistic aspects of EU law and their impact on old and new Member States and candidate countries as well

### **Law, Language, and Warfare** , 2025-01-20 This

volume presents a novel insight into the complex intersections between the law of armed conflict and the language of armed conflict The work demonstrates the strengths and fissures in the law showing how the choice to employ certain terms can have lasting ramifications for those most vulnerable to the impacts of warfare civilians women children and the displaced

*Law, Language, and Science* Diana Jeater, 2006-12-30 This book examines the mentalities of various communities within a district of Southern Rhodesia Zimbabwe Focusing in particular on white administrators and missionaries in the Melsetter District it combines linguistic lexical analysis with historical interpretation in an attempt to reconstruct what whites and Africans actually meant by the words and practices they used in interactions with each other Jeater provides a detailed study of translation work in Mt Selinda an evangelical mission it also examines formal and informal court hearings to contrast the perceptions and meanings ascribed to cases by white adjudicators and by African participants This leads into an initial attempt to map out the birth of ethnography in Southern Rhodesia and to contrast it with anthropology in South Africa By the 1920s Africans expertise in their own languages and culture had been usurped by self referential white linguists and ethnographers This account suggests that there is a tendency among archive oriented historians to overestimate how far white missionaries and administrators really understood what Africans said and did In addition to making a contribution to our empirical knowledge of Zimbabwe s history the book focuses on how and why investigators first began to make claims to such knowledge It urges those studying African history to be self reflective about their practice examining the historical roots of their claims to expertise such claims

*Translating the Social World for Law* Elizabeth Mertz, William K. Ford (Law teacher), Gregory M. Matoesian, 2016 In coordinated papers that are grounded in empirical research the volume contributors

use careful linguistic analysis to understand how attempts to translate between different disciplines can misfire in systematic ways This problem takes on real life significance when one of the fields is law where how knowledge is conveyed can affect how justice is meted out

**Law, Language and Change** Caroline Laske, 2020-09-25 In this monograph Caroline Laske traces the advent of consideration in English contract law by analysing the doctrinal development in parallel with the corresponding terminological evolution and semantic shifts between the fourteenth and nineteenth centuries It is an innovative interdisciplinary study showcasing the value of taking a diachronic corpus linguistics based approach to the study of legal change and legal development and the semantic shifts in the corresponding terminology The seminal application in the legal field of these analytical methodologies borrowed from pragmatic linguistics goes beyond the content approach that legal research usually practices and it has allowed for claims of semantic change to be objectified This ground breaking work is pitched at scholars of legal history law language and linguistics



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