

References

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Mary Catherine Gruber, *I'm Sorry for What I've Done: The Language of Courtroom Apologies*. New York: Oxford University Press, 2014; xi + 241 pp., US\$74.00 (hbk).

Reviewed by: Guofeng Wang, Ningbo Institute of Technology, Zhejiang University, P.R. China

The courtroom apology, delivered by a defendant in a legal proceeding as a plea for leniency prior to final sentencing, has a long tradition in the American justice system. While ‘apologetic allocation’ is an important legal protection, the speech act is constrained by the linguistic, social and legal context of the courtroom. In the seven chapters of this book, Gruber presents a study of allocutions delivered by 52 defendants in three US district courtrooms between November 2004 and March 2008. Gruber’s findings advance our understanding of the complexities of allocutions, of the ways they can influence legal proceedings, and of how linguistic analysis can provide insight into this aspect of America’s system of law and punishment.

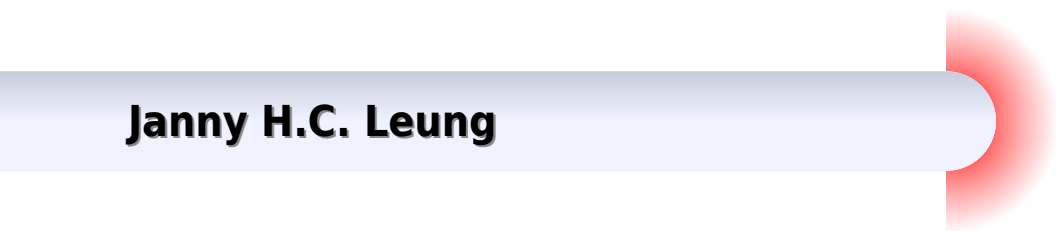
Chapter 1 describes the project framework, explains how data were gathered and analyzed and outlines the book’s structure. The transcriptions of courtroom apologies which Gruber uses for her study go well beyond the standard official court record to include notations on paralinguistic features such as hesitation, false starts, wavering voice, crying-while-talking and the use of non-standard and colloquial language. Gruber’s analysis of these data leads to a deeper understanding of allocutions as linguistic speech acts and of the messages these acts communicate.

Chapter 2 begins with a review of apologies within the framework of Austin’s (1962) seminal work on speech acts. Gruber then discusses ‘context’ as a key to understanding how these acts are interpreted emotionally in sentencing hearings in assessing a defendant’s character and sincerity. Traditionally, apologetic allocutions must conform to strict rules. However, these formal requests for leniency often include non-prototypical features which may be perceived as violations of legal protocol and which may undermine the plea’s intended result.

In Chapter 3, Gruber surveys the function of sentencing hearings in the American legal system and of allocutions as a traditional part of these proceedings. Gruber observes that, in fact, a courtroom apology poses as many risks as potential benefits for a defendant. She goes on to identify unique characteristics of the three courtrooms where she

Im Sorry For What Ive Done The Language Of Courtroom Apologies

Janny H.C. Leung



Im Sorry For What Ive Done The Language Of Courtroom Apologies:

"*I'm Sorry for what I've Done*" M. Catherine Gruber, 2014 Examines the courtroom apologies of 52 defendants and how their language is limited by the restraints imposed by sentencing **Linguistic Inquiries into Donald Trump's Language** Ulrike Schneider, Matthias Eitelmann, 2020-10-15 From an abundance of intensifiers to frequent repetition and parallelisms Donald Trump's idiolect is highly distinctive from that of other politicians and previous Presidents of the United States Combining quantitative and qualitative analyses this book identifies the characteristic features of Trump's language and argues that his speech style often sensationalized by the media differs from the usual political rhetoric on more levels than is immediately apparent Chapters examine Trump's tweets inaugural address political speeches interviews and presidential debates revealing populist language traits that establish his idiolect as a direct reflection of changing social and political norms The authors scrutinize Trump's conspicuous use of nicknames the definite article and conceptual metaphors as strategies of othering and antagonising his opponents They further shed light on Trump's fake news agenda and his mutation of the conventional political apology which are strategically implemented for a political purpose Drawing on methods from corpus linguistics conversation analysis and critical discourse analysis this book provides a multifaceted investigation of Trump's language use and addresses essential questions about Trump as a political phenomenon The Routledge Handbook of Forensic Linguistics Malcolm Coulthard, Alison May, Rui Sousa-Silva, 2020-11-24 The Routledge Handbook of Forensic Linguistics offers a comprehensive survey of the subdiscipline of Forensic Linguistics with this new edition providing both updated overviews from leading figures in the field and exciting new contributions from the next generation of forensic linguists The Handbook is a unique work of reference to the leading ideas debates topics approaches and methodologies in forensic linguistics and language and the law It comprises 43 chapters including entirely new contributions from many international experts in the areas of Aboriginal claimants appraisal and stance author identities online biased language in capital trials corpus approaches false confessions forensic phonetics forensic transcription the historical courtroom legal interpretation multilingual law police crisis negotiation speaker profiling and trolling The chapters include a wealth of examples and case studies so the reader can see forensic linguistics applied and in action Edited and authored by the world's leading academics and practitioners The Routledge Handbook of Forensic Linguistics is a vital resource for advanced students researchers and scholars and will also be of interest to legal law enforcement and security professionals Translating the Social World for Law Elizabeth Mertz, William K. Ford, Gregory Matoesian, 2016-06-22 This volume examines the linguistic problems that arise in efforts to translate between law and the social sciences We usually think of translation as pertaining to situations involving distinct languages such as English and Swahili But realistically we also know that there are many kinds of English or Swahili so that some form of translation may still be needed even between two people who both speak English including for example between English speakers who are members of different

professions Law and the social sciences certainly qualify as disciplines with quite distinctive language patterns and practices as well as different orientations and goals 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 Some contributors also point the way toward more fruitful translation practices The contributors to this volume are members of an interdisciplinary working group on Legal Translation that met for a number of years The group includes scholars from law philosophy anthropology linguistics political science psychology and religious studies The members of this group approach interdisciplinary communication as a form of translation between distinct disciplinary languages or registers Although it may seem obvious that professionals in different fields speak and think differently about the world in fact experts in law and in social science too often assume that they can communicate easily when they are speaking what appears to be the same language While such experts may intellectually understand that they differ regarding their fundamental assumptions and uses of language they may nonetheless consistently underestimate the degree to which they are actually talking past one another 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

The Oxford Handbook of Law and Anthropology Marie-Claire Foblets, Mark Goodale, Maria Sapiñoli, Olaf Zenker, 2022-04-01 The Oxford Handbook of Law and Anthropology is a ground breaking collection of essays that provides an original and internationally framed conception of the historical theoretical and ethnographic interconnections of law and anthropology Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field The structure of the Handbook is animated by an overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution normative ordering social organization and legal political and social identity The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever increasing number of areas including immigration and asylum processes international justice forums cultural heritage certification and monitoring and the writing of new national constitutions among many others The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance as well as to acknowledge the points of tension open questions and areas for future development

The Language of Canon Law Judith Hahn, 2023 In this book Judith Hahn explores the legal order of the Roman Catholic Church to better understand how the Roman Catholic Church communicates as a legal institution She argues that the language of canon law reveals the political ideology of the church hierarchy and she takes up the tools of language and law scholarship to examine and challenge that language Hahn examines the grammar and terminology of canon law and how canon law language makes use of linguistic tricks and techniques to create its typical sound and discusses the comprehension difficulties that arise out of

ambiguities in the law out of transfer problems between legal and common language and out of canon law's confusing mix of legal doctrinal and moral norms

Legal Integration and Language Diversity C.J.W. Baaij, 2018-02-01 The European pursuit for legal integration and language diversity poses a puzzling question how can the EU create uniform laws in 24 official languages successfully This book argues that the answer lies in elevating the English language version and seeking literalism over fluency in allying the other language versions

Speaking of Language and Law Lawrence Solan, Janet Ainsworth, Roger W. Shuy, 2015-07-28 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

Confronting the Death Penalty Robin Conley, Robin Conley Riner, 2016 Confronting the Death Penalty probes how jurors make the ultimate decision about whether another human being should live or die Drawing on ethnographic and qualitative linguistic methods Robin Conley explores the means through which language helps to make death penalty decisions possible how specific linguistic choices mediate and restrict jurors attorneys and judges actions and experiences while serving and reflecting on capital trials Provided by publisher

Shallow Equality and Symbolic Jurisprudence in Multilingual Legal Orders Janny H.C. Leung, 2019-01-28 What challenges face jurisdictions that attempt to conduct law in two or more languages How does choosing a legal language affect the way in which justice is delivered Answers to these questions are vital for the 75 officially bilingual and multilingual states of the world as well as for other states contemplating a move towards multilingualism Arguably such questions have implications for all countries in a world characterized by the pressures of globalization economic integration population mobility decolonization and linguistic re colonization For lawyers addressing such challenges is made essential by the increased frequency and scale of transnational legal dealings and proceedings as well as by the lengthening reach of international law But it is not only policy makers legislators and other legal practitioners who must think about such questions The relationship between societal multilingualism and law also raises questions for the burgeoning field of language and law which posits among other tenets the centrality of language in legal processes In this book Janny H C Leung examines key aspects of legal multilingualism Drawing extensively on case studies she describes the implications of the legal practical and ideological dilemmas encountered in a given country when it becomes bilingual or multilingual discussing such issues as how legal certainty and the linguistic ideology of authenticity may be challenged in a multilingual jurisdiction how courts balance the language preferences of different courtroom participants

and what historical socio political and economic factors may influence the decision to cement a given language as a jurisdiction's official language Throughout Leung elaborates a theory of symbolic jurisprudence to explore common dilemmas found across countries despite their varied political and cultural settings and argues that linguistic equality as proclaimed and practiced today is a shallow kind of equality Although officially multilingual jurisdictions appear to be more inclusive than their monolingual counterparts they run the risk of disguising substantive inequalities and displacing real efforts for more progressive social change This is the first book to offer overarching discussion of how such issues relate to each other and the first systematic study of legal multilingualism as a global phenomenon

Strategic Indeterminacy in the Law

David Lanius, 2019-05-30 Though indeterminacy in legal texts is pervasive there is a widespread misunderstanding about what indeterminacy is particularly as it pertains to law Legal texts present unique challenges insofar as they address a heterogeneous audience are applied in a variety of unforeseeable circumstances and must at the same time lay down clear and unambiguous standards Sometimes they fail to do so however either by accident or by intention While many have claimed that indeterminacy facilitates flexibility and can be strategically used few have recognized that there are more forms of indeterminacy than vagueness and ambiguity A comprehensive account of legal indeterminacy is thus called for David Lanius here answers that call and in so doing addresses three central questions about the role of indeterminacy in the law First what are the sources of indeterminacy in law Second what effects do the different forms of indeterminacy have Third how can and should these forms be intentionally used Based on a thorough examination of the advantages and disadvantages of the different forms of indeterminacy in the wording of laws contracts and verdicts Lanius argues for the claim that semantic vagueness is less relevant than commonly supposed in the debate while other forms of indeterminacy in particular polysemy and standard relativity are mistakenly underrated or even ignored This misconception is due to a systematic confusion between semantic vagueness and these other forms of indeterminacy Once it is resolved the value and functions of linguistic indeterminacy in the law can be clearly shown

Discursive Constructions of Consent in the Legal Process

Susan Ehrlich, Diana Eades, Janet Ainsworth, 2016-01-04 As a linguistically grounded critical examination of consent this volume views consent not as an individual mental state or act but as a process that is interactionally and discursively situated It highlights the ways in which legal consent is often fictional at best due to the impoverished view of meaning and the linguistic ideologies that typically inform interpretations and representations in the legal system The authors are experts in linguistics and law who use diverse theoretical and analytical approaches to examine the complex ways in which language is used to seek negotiate give or withhold consent in a range of legal contexts Authors draw on case studies or larger research corpora or a wider sociolegal approach in investigations of police citizen interactions in the street police interviews with suspects police call handlers rape and abduction trials interactions with lay litigants in a multilingual small claims court a restorative justice sentencing scheme for young offenders biomedical research and legal disputes over contracts

From

Truth to Technique at Trial Philip Gaines, 2016-03-23 From Truth to Technique addresses key questions raised by the burgeoning literature in what Philip Gaines calls advocacy advice texts manuals handbooks and other how to guides written by lawyers for lawyers both practicing and aspiring to help them be as effective as possible in trial advocacy In these texts advice authors share principles strategies and techniques for persuading juries and winning cases Some manuals even form the basis for required advocacy courses in law schools Unlike training manuals in other professional domains sales leadership management fundraising coaching etc advocacy advice texts offer guidance for effectiveness in a realm of activity where the stakes may be the very highest for the parties and where society has an abiding interest in the truth being discovered and justice being done Helping advocates learn how to win cases may be the ultimate purpose of advice texts but to what extent are ideas about the values of truth and justice what Gaines calls metavalues incorporated into discussions about winning tactics and techniques To explore this question Gaines takes the reader through a discursive history of the relation between technique and metavalues as presented in advocacy advice beginning with a thematic analysis of the first texts published in the Anglo American tradition in the early 17th century through treatises written during seasons of radical change in the profession in the 18th and 19th centuries and up to the present day with a look at the more than 200 trial manuals currently in print This diacronic study reveals dramatic changes in the place authors give to the metavalues of truth and justice when lawyers advise other lawyers about how to be effective in the courtroom

Deceptive Ambiguity by Police and Prosecutors Roger W. Shuy, 2017 Ambiguity is commonly considered unintentional while deception is considered intentional Here Roger W Shuy describes fifteen criminal cases in which police prosecutors and undercover agents used deceptive ambiguity with criminal suspects and defendants many times giving evidence of being intentionally constructed through the manipulation of the speech events schemas agendas speech acts strategies lexicon and grammar Although certain types of intentional deceptive ambiguity are central for successful undercover operations the case examples in this book demonstrate how various types of deceptive ambiguity are common not only in undercover operations but also in police interviews and courtroom examinations conducted by prosecutors

Conceptions in the Code Stefan Larsson, 2017-01-02 Stefan Larsson s Conceptions in the Code makes a significant contribution to sociolegal analysis representing a valuable contribution to conceptual metaphor theory By utilising the case of copyright in a digital context it explains the role that metaphor plays when the law is dealing with technological change displaying both conceptual path dependence as well as what is called non legislative developments in the law The overall analysis draws from conceptual studies of property in intellectual property By using Karl Renner s account of property Larsson demonstrates how the property regime of copyright is the projection of an older regime of control onto a new set of digital social relations Further through an analysis of the concept of copy in copyright as well as the metaphorical battle of defining the BitTorrent site The Pirate Bay in the Swedish court case with its founders Larsson shows the historical and embodied dependence of digital

phenomena in law and thereby how normative aspects of the source concept also stains the target domain The book also draws from empirical studies on file sharing and historical expressions of the conceptualisation of law revealing both the cultural bias of both file sharing and law Also law is thereby shown to be largely depending on metaphors and embodiment to be reified and understood The contribution is relevant for the conceptual and regulatory struggles of a multitude of contemporary socio digital phenomena in addition to copyright and file sharing including big data and the oft praised openness of digital innovation

Discourse, Identity, and Social Change in the Marriage Equality Debates Karen Tracy, 2016-04-15 This book examines the discourse of judges and attorneys and legislators and citizens as they debated whether same sex couples should be permitted to marry Karen Tracy shows that change in Americans attitudes occurred concurrently with changes in speakers language use that went from framing sexual orientation as a lifestyle to talking about gays and lesbians as a category of citizen

Law at Work Baudouin Dupret, Michael Lynch, Tim Berard, 2015 What does Sharia Law look like in the actual practice of family law How do lawyers lead witnesses contradict themselves or make hate crimes seem less hateful or criminal in particular cases This collection of empirical studies addresses these and many other questions about the conduct of law in practice by treating law as a relationship between legal institutions and an external society

Remorse and Criminal Justice Steven Tudor, Richard Weisman, Michael Proeve, Kate Rossmann, 2021-11-28 This multi disciplinary collection brings together original contributions to present the best of current thinking about the nature and place of remorse in the context of criminal justice Despite the widespread and long standing nature of interest in offender remorse the topic has until recently been peripheral in academic studies The authors are scholars from North America the United Kingdom Europe South Africa and Australia from diverse academic disciplines They reflect on the role of remorse in law for better or for worse on how expressions of remorse are affected by the legal contexts in which they arise and on the impact of these expressions on the individual the court and the community The work is divided into four parts Part I Judging Remorse addresses issues concerning the task of assessing remorse in the courtroom usually prior to determining sentence Part II Remorse Beyond the Courtroom explores the place and significance of remorse in various post court settings Part III Remorse War and Social Trauma addresses remorse in the context of political violence and social trauma in the former Yugoslavia and South Africa Finally Part IV Reflections seeks to underscore the multi disciplinary and interdisciplinary nature of the collection as a whole through personal and disciplinary reflections on remorse The work provides a showcase for how diverse academic disciplines can be brought together through a focus on a common topic As such the collection will become a standard reference work for further research across a range of disciplines and promote interdisciplinary dialogue

Legal Translation Outsourced Juliette R. Scott, 2019 As a result of globalization cross border transactions and litigation and multilingual legislation outsourcing legal translation has become common practice Unfortunately over reliance on such outsourcing has given rise to significant dangers including information asymmetry goal

divergence and risk Legal Translation Outsourced provides the only current reference on commercial legal translation performed outside institutions Juliette Scott casts a critical eye on the practice as it now stands offering an analysis of key risks and constraints Her work is informed by empirical data of the legal translation outsourcing markets of 41 countries Scott proposes original theoretical models aimed both at training legal translators and informing all stakeholders including principals and agents These include models of legal translation performance a classification of constraints on legal translation applying upstream during and downstream of translation work and a description of the complex chain of supply Working to improve the enterprise itself Scott shows how implementing a comprehensive legal translation brief a sorely needed template can significantly benefit clients by increasing the fitness of translated texts Further she opens a number of avenues for future research with an eye to translator empowerment and professionalization

Entextualizing Domestic Violence Jennifer Andrus, 2015-01-07 Language ideology is a concept developed in linguistic anthropology to explain the ways in which ideas about the definition and functions of language can become linked with social discourses and identities In *Entextualizing Domestic Violence* Jennifer Andrus demonstrates how language ideologies that are circulated in the Anglo American law of evidence draw on and create indexical links to social discourses affecting speakers whose utterances are used as evidence in legal situations Andrus addresses more specifically the tendency of such a language ideology to create the potential to speak for appropriate and ignore the speech of women who have been victims of domestic violence In addition to identifying specific linguistic strategies employed in legal situations she analyzes assumptions about language circulated and animated in the legal text and talk used to evaluate spoken evidence and describes the consequences of the language ideology when it is co articulated with discourses about gender and domestic violence The book focuses on the pair of rules concerning hearsay and its exceptions in the Anglo American law of evidence Andrus considers legal discourses including statutes precedents their application in trials and the relationship between such legal discourses and social discourses about domestic violence Using discourse analysis she demonstrates the ways legal metadiscourses about hearsay are articulated with social discourses about domestic violence and the impact of this powerful co articulation on the individual whose speech is legally appropriated Andrus approaches legal rules and language ideology both diachronically and synchronically in this book which will be an important addition to ongoing research and discussion on the role legal appropriation of speech may have in perpetuating the voicelessness of victims in the legal treatment of domestic violence

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