

## Book Review

A comparative review of  
*The Routledge Handbook of Forensic Linguistics*  
and  
*The Oxford Handbook of Language and Law*

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*The Oxford Handbook of Language and Law*  
Peter M. Tiersma & Lawrence M. Solan (eds) (2012)  
Oxford: Oxford University Press

*The Routledge Handbook of Forensic Linguistics*  
Malcolm Coulthard & Alison Johnson (eds) (2010)  
Abingdon, Oxon: Routledge

It is something of a challenge to review two prominent handbooks like Coulthard and Johnson (2010) and Tiersma and Solan (2012) alongside each other. From the outset, there is no sense that either handbook will be in any way deficient—both are edited by respected figures in the field, both are published by reputable publishers, and both contain a wealth of relevant and insightful articles written by leading, established, and emergent scholars in a variety of areas of research pertaining to the intersection between language and law. It is my intention, therefore, to briefly offer an overview of each of the handbooks before highlighting some of the key considerations that arise through a direct comparison.

Turning firstly to structure and content, Coulthard and Johnson (2010) present 39 chapters split across three sections, with each major section containing between four and six chapters on various themes: Section 1, ‘The language of the law and the legal process’ contains themed chapters on legal language, participants in police investigation, interviews and interrogation, courtroom genres, and lay participants in the judicial process. Section 2, entitled ‘The linguist as expert in legal processes’ contains themed chapters on

expert and process, multilingualism in legal contexts, and authorship and opinion. The final section, 'New debates and directions', contains chapters written by prominent scholars, who lay out the future scope of the field, concluding with a chapter by Coulthard and Johnson themselves. Tiersma and Solan (2012) contains 40 chapters, this time split across nine sections, with each section containing between three and six chapters: legal language; the interpretation of legal texts; multilingualism and translation; language rights; language and criminal law; courtroom discourse; intellectual property; identification of authorship and deception; and speaker identification. There are 48 contributors to Tiersma and Solan (2012) and 40 contributors to Coulthard and Johnson (2010). Despite some overlap in content, it should be noted that only nine contributors are shared across the two handbooks and so each handbook certainly offers different perspectives on the various topics covered.

The aims and approaches of both handbooks become clear from the introductory chapters. Coulthard and Johnson (2010) take as their starting point Halliday's functional theory of language—which foregrounds the importance of context and social practice to meaning-making—since the world of the law is context-rich, hierarchically ordered, and multiply imbued with meaning (p. 1). From this perspective, they explain that the focus of their handbook is on “[w]hat legal people do with lay people through legal language, legal texts and legal interaction” and that the chapters in their collection “examine the ways that language has and is being used, who is using it, how they are writing, where they are speaking, why they are interacting in that way and what is being accomplished through that interaction” (p. 1). Tiersma and Solan (2012), on the other hand, give prominence to the role of interdisciplinarity in language and law research. Their handbook aims to highlight themes which reflect “some of the most interesting issues that arise when the interactions of the fields are studied” (p. 9). They argue that their handbook identifies problems which will benefit from discussion and collaboration across disciplines. However, they further explain that the chapters included in their handbook do more than enhance discussion: “They demonstrate a state of the art that shows enormous progress in this interdisciplinary endeavor, pointing the way for future inquiry” (p. 9). Interdisciplinarity is an important point, to which I will return below.

Possibly the biggest difference between the handbooks is the extent to which the editors integrate their own perspectives – that is, Tiersma and Solan (2012) provide an editorial introduction which outlines and describes the main themes covered, but leave individual chapters to speak for themselves. Coulthard and Johnson (2010) on the other hand provide an introduction which relates to, and develops, their earlier (2007) textbook. In their textbook, Coulthard and Johnson distinguished between the description of the language of the law and the work of an expert witness, but in their handbook argue that this binary distinction created an unwelcome boundary between written and spoken language. In their handbook, they instead propose a tripartite division between the study of the written language of the law, interaction in the legal process, and the work of a linguist acting as an expert witness (p. 7). In addition to their editorial introduction, they also offer a concluding chapter on future directions in forensic linguistics. In the concluding remarks chapter, Coulthard and Johnson draw out the main themes common across the chapters. They highlight in particular the relationship between power and (dis-)advantage, and predict critical forensic linguistics as an area that will be taken up in the next two decades. In this way, Coulthard and Johnson offer something more by way of their own commentary on the state of the field, both current and future. The connections between works (2007

and 2010) are made explicit and therefore may be more appropriate for the reader who is new to the field. All chapters in Coulthard and Johnson (2010) also conclude with suggestions for further reading. In this way, then, we get a sense of wisdom and direction being imparted to the reader that is perhaps missing from Tiersma and Solan (2012).

With this brief summary of both handbooks, it is now possible to consider two issues that arise. I offer these not as flaws or deficiencies in the handbooks, but as debates that may warrant wider consideration as a result of these two publications: 1) the naming of the handbooks; and 2) the nature of disciplinary engagement.

In naming the handbooks, Coulthard and Johnson (2010) adopted forensic linguistics whilst Tiersma and Solan (2012) elected for language and law. Gibbons (2003) explained that forensic linguistics “can be used narrowly to refer only to the issue of language evidence. However it is becoming accepted as a cover term for language and the law issues” (p. 12). Despite being written over a decade ago, there still appears to be little consistency in the field over whether – as with Coulthard and Johnson (2010) – forensic linguistics is an umbrella term that encompasses language and law (e.g. Olsson (2004); Olsson and Luchjenbroers (2014) or, as Tiersma and Solan’s (2012) title suggests, whether language and law encompasses forensic linguistics, or even whether such a distinction is relevant and apparent (e.g. Mooney (2014). Since both handbooks contain chapters that address the use of language in the legal system and language as evidence, the publication of these two handbooks seems to be moving the field in the direction of forensic linguistics being used synonymously with language and law, both as umbrella terms to cover the wide variety of research and consultancy carried out at the interface between language and law.

The second issue to consider is the importance of disciplinary engagement, which is given attention in both handbooks although with differing levels of prominence. Tiersma and Solan (2012) place interdisciplinarity at the forefront of their handbook and argue that the advances that have been made in language and law research have arisen because of the increase in interdisciplinary research being carried out in law, coupled with the emergence and impact of linguistics (p. 1). Naturally, as scholars of both linguistics and law themselves, Tiersma and Solan are strong advocates of interdisciplinarity. Coulthard and Johnson (2010) also promote interdisciplinarity and claim that “[a]s a group, we are truly inter- and cross-disciplinary in composition and often in approach” (p. 2), perhaps placing emphasis on the training that contributors have received, rather than the ways in which methods and ideas from different disciplines have really been integrated and synthesised—the goal of true interdisciplinary research (Committee on Facilitating Interdisciplinary Research, Committee on Science, Engineering, and Public Policy, National Academic of Engineering, and Institute of Medicine, 2005: 27). Both handbooks contain chapters written by academics based in a variety of departments including psychology, education, criminology, sociology, philosophy, and of course linguistics, as well as by a range of professions including interpreters, translators, attorneys and judges and in this sense, both handbooks do represent interdisciplinarity rather than representing only the work of linguists. However, in the spirit of ensuring greater social impact, maybe the time has come to move beyond interdisciplinary research towards transdisciplinary research—“the cooperation of academics, stakeholders, and practitioners to solve complex societal . . . problems of common interest with the goal of resolving them by designing and implementing public policy” (Repko *et al.*, 2014: 36) – a goal that becomes more important given “the lack of communication and genuine collaboration between institutions and

researchers” (Coulthard and Johnson, 2010: 609).

In conclusion, these are two absolutely superb handbooks that represent to the highest standards what has been achieved in research carried out at the intersection between language and law. Both are excellent resources, which arguably fulfil the needs of different audiences. Tiersma and Solan (2012) is perhaps most suited to the independent student or researcher, whereas Coulthard and Johnson (2010) may be less intimidating to a newcomer to the field, waiting and willing to be inducted into the major issues. Both certainly make fantastic additions to the field. Indeed, my copies are well-thumbed and are in regular use in my own research and teaching.

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