

FIGHTING OVER WORDS

Language and Civil Law Cases

Roger W. Shuy

Fighting Over Words Language And Civil Law Cases

Anthony Amatrudo, Regina Rauxloh



Fighting Over Words Language And Civil Law Cases:

Fighting over Words Roger W. Shuy, 2008-01-29 Most people fight over something or other and language is usually at the very center of the conflict Often the way we use language is the cause of the battle There are many areas in which fighting about language can be observed but civil law cases offer the most fertile examples of this warfare over words What did the contract actually say Was there deception in the advertising Was the warning label clear and effective Did the company evidence race or age discrimination against employees or customers Was one company's name too similar to that of another company Did the corporation plagiarize the work of another Did it fraudulently represent what its work This book is about the ways linguistic analysis describes exposes and aids disputes in 18 civil cases where language framed the battleground Roger Shuy a well known forensic linguist and consultant shows how the skills of linguistic analysis can help resolve disputed meanings while also showing how civil cases can prove to be fertile ground for linguistic scholarship He does this by collecting and analyzing cases involving contracts trademark disputes advertisements product liability copyright infringement discrimination trademark disputes and fraud controversies In each case he employs all the tools of formal linguistics to show how it can be as helpful as other physical sciences in resolving legal disagreements The work will be of interest primarily to linguists sociolinguists forensic linguists and scholars and students of law and society as well as lawyers and law students

Fighting over Words Roger W. Shuy, 2008-01-29 Most people fight over something or other and language is usually at the very center of the conflict Often the way we use language is the cause of the battle There are many areas in which fighting about language can be observed but civil law cases offer the most fertile examples of this warfare over words What did the contract actually say Was there deception in the advertising Was the warning label clear and effective Did the company evidence race or age discrimination against employees or customers Was one company's name too similar to that of another company Did the corporation plagiarize the work of another Did it fraudulently represent what its work This book is about the ways linguistic analysis describes exposes and aids disputes in 18 civil cases where language framed the battleground Roger Shuy a well known forensic linguist and consultant shows how the skills of linguistic analysis can help resolve disputed meanings while also showing how civil cases can prove to be fertile ground for linguistic scholarship He does this by collecting and analyzing cases involving contracts trademark disputes advertisements product liability copyright infringement discrimination trademark disputes and fraud controversies In each case he employs all the tools of formal linguistics to show how it can be as helpful as other physical sciences in resolving legal disagreements The work will be of interest primarily to linguists sociolinguists forensic linguists and scholars and students of law and society as well as lawyers and law students

The Oxford Handbook of Applied Linguistics Robert B. Kaplan, 2010-09-30 A monumental editorial enterprise It is to be commended and used widely and wisely **ESL Magazine** **Stylistics of Professional Discourse** Martin Solly, 2015-11-19 Why are doctors prescriptions illegible and why is the language of the law

considered impenetrable to outsiders. Need they be so? Is it more difficult for non native speakers of English than native speakers to access the discourse of professions such as law and medicine? These are some of the questions covered by this book which uses the lens of stylistics to shed light on how the discourse of professional communities is used not just to convey meanings but also to construct identity and demark membership. The volume focuses on the three domains of healthcare, law and education as well as on the language of the new technologies with the aim of showing how a knowledge of stylistics can provide the key for appropriate and acceptable language use enabling successful communication and potential membership of professional communities.

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.

Enciclopedia de Lingüística Hispánica Volume I Javier

Gutiérrez-Rexach, 2016-01-29. The Enciclopedia de Lingüística Hispánica provides comprehensive coverage of the major and subsidiary fields of Spanish linguistics. Entries are extensively cross referenced and arranged alphabetically within three main sections. Part 1 covers linguistic disciplines, approaches and methodologies. Part 2 brings together the grammar of Spanish including subsections on phonology, morphology, syntax and semantics. Part 3 brings together the historical, social and geographical factors in the evolution of Spanish. Drawing on the expertise of a wide range of contributors from across the Spanish speaking world, the Enciclopedia de Lingüística Hispánica is an indispensable reference for undergraduate and postgraduate students of Spanish and for anyone with an academic or professional interest in the Spanish language.

Spanish linguistics

Law at Work Baudouin Dupret, Michael Lynch, Tim Berard, 2015-07-15. The studies in this volume use ethnographic, ethnomethodological and sociolinguistic research to demonstrate how legal agents conduct their practices and exercise their authority in relation to non expert participants and broader publics. Instead of treating law as a body of doctrines or law and society as a relationship between legal institutions and an external society, the studies in this volume closely examine law at work: specific legal practices and social interactions produced in national and international settings.

These settings include courtrooms and other tribunals consultations between lawyers and clients and media forums in which government officials address international law Because law is a public institution and legal actions are publicly accountable technical law must interface with non expert members of the public The embodied actions and interactions that comprise the interface between professional and lay participants in legal settings therefore must do justice to legal traditions and statutory obligations while also contending with mundane interactional routines ordinary reasoning and popular expectations Specific chapters examine topics such as family disputes in a system of Sharia Law rhetorical contestations about possible violations of international law during a violent conflict in the Middle East the transformation of a courtroom hearing brought about by the virtual presence of remote witnesses relayed through a video link the practices through which written records are used to mediate and leverage a witness s testimony and the discursive and interactional practices through which authorized parties use legal categories to problems with individual conduct Each chapter shows that it makes a profound difference to the way we understand the law when we examine its meaning and application in practice

Pragmatics of Discourse

Klaus P. Schneider, Anne Barron, 2014-06-18 Discourse is language as it occurs in any form or context beyond the speech act It may be written or spoken monological or dialogical but there is always a communicative aim or purpose The present volume provides systematic orientation in the vast field of studying discourse from a pragmatic perspective It first gives an overview of a range of approaches developed for the analysis of discourse including among others conversation analysis systemic functional analysis genre analysis critical discourse analysis corpus driven approaches and multimodal analysis The focus is furthermore on functional units in discourse such as discourse markers moves speech act sequences discourse phases and silence The final section of the volume examines discourse types and domains providing a taxonomy of discourse types and focusing on a range of discourse domains e g classroom discourse medical discourse legal discourse electronic discourse Each article surveys the current state of the art of the respective topic area while also presenting new research findings

Toxic Shock Sharra L. Vostral, 2018-11-27 A history of Toxic Shock Syndrome In 1978 doctors in Denver Colorado observed several healthy children who suddenly and mysteriously developed a serious life threatening illness with no visible source Their condition which doctors dubbed toxic shock syndrome TSS was rare but observed with increasing frequency over the next few years in young women and was soon learned to be associated with a bacterium and the use of high absorbency tampons that had only recently gone on the market In 1980 the Centers for Disease Control identified Rely tampons produced by Procter the insufficient testing of the first super absorbency tampon how TSS became a women s disease for which women must constantly monitor their own bodies Further Vostral discusses the awkward veiled and vague ways public health officials and the media discussed the risks of contracting TSS through tampon use because of social taboos around discussing menstruation and how this has hampered regulatory actions and health communication around TSS tampon use and product safety A study at the intersection of public health and social history Toxic Shock brings to light the

complexities behind a stigmatized and under discussed issue in women s reproductive health Importantly Vostral warns that as we move forward with more and more joint replacements implants and internal medical devices we must understand the relationship of technology to bacteria and recognize that both can be active agents within the human body In other words unexpected consequences and risks of bacteria and technology interacting with each other remain *Law in popular belief* Anthony Amatrudo, Regina Rauxloh, 2017-03-21 In recent years there has been a significant growth in interest of the so called law in context extending legal studies beyond black letter law This book looks at the relationship between statute law and legal practice It examines how law is applied in reality and more precisely how law is perceived by the general public in contrast to the legal profession The authors look at a number of themes that are central to examining ways in which myths about law are formed and how there is inevitably a constitutive power aspect to this myth making At the same time they explore to what extent law itself creates and sustains myths The book will be of general interest to a number of different disciplines such as legal theory general law criminology and sociology **Stylistics of Professional Discourse** Solly Martin Solly, 2015-11-19 Why are doctors prescriptions illegible and why is the language of the law considered impenetrable to outsiders Need they be so Is it more difficult for non native speakers of English than native speakers to access the discourse of professions such as law and medicine These are some of the questions covered by this book which uses the lens of stylistics to shed light on how the discourse of professional communities is used not just to convey meanings but also to construct identity and demark membership The volume focuses on the three domains of healthcare law and education as well as on the language of the new technologies with the aim of showing how a knowledge of stylistics can provide the key for appropriate and acceptable language use enabling successful communication and potential membership of professional communities Discourses, Modes, Media and Meaning in an Era of Pandemic Sabine Tan, Marissa K. L. E, 2022-09-30 The COVID 19 pandemic has affected all aspects of our everyday lives from the political to the economic to the social Using a multimodal discourse analysis approach this dynamic collection examines various discourses modes and media in circulation during the early stages of the pandemic and how these have impacted our daily lives in terms of the various meanings they express Examples include how national and international news organisations communicate important information about the virus and the crisis the public s reactions to such communications the resultant counter discourses as manifested in social media posts and memes as well as the impact social distancing policies and mobility restrictions have had on people s communication and interaction practices The book offers a synoptic view of how the pandemic was communicated represented and re contextualised across different spheres and ultimately hopes to help account for the significant changes we are continuing to witness in our everyday lives as the pandemic unfolds This volume will appeal primarily to scholars in the field of multimodal discourse analysis It will also be of interest to researchers and graduate students in other fields whose work focuses on the use of multimodal artefacts for communication and meaning making The Open Access version of

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Latinas/os in New Jersey Aldo A. Lauria Santiago, Ulla D. Berg, 2025 Collection of essays by Johana Londoño and 21 others

Copyright and Piracy Lionel Bently, Jennifer Davis, Jane C. Ginsburg, 2010-10-28

An understanding of the changing nature of the law and practice of copyright infringement is a task too big for lawyers alone; it requires additional inputs from economists, historians, technologists, sociologists, cultural theorists, and criminologists. Where is the boundary to be drawn between illegal imitation and legal inspiration? Would the answer be different for creators, artists, and experts from different disciplines or fields? How have concepts of copyright infringement altered over time, and how do such changes relate, if at all, to the cultural norms operating amongst creators in different fields? With such an approach, one might perhaps begin to address the vital and overarching question of whether strong copyright laws rigorously enforced impede rather than promote creativity. And what can be done to avoid any such adverse consequences while maintaining the effectiveness of copyright as an incentive mechanism for those who need it.

The Sociolinguistics of Survey Translation Yuling Pan, Mandy Sha, Hyunjoo Park, 2019-06-26

The Sociolinguistics of Survey Translation presents an overview of challenges in survey translation, introduces a sociolinguistic framework to overcome these challenges, and demonstrates step by step how this framework works to guide and evaluate survey translation. Topics covered in the book include the relationship between linguistic rules, cultural norms, and social practices and their impact on survey translation; the role of orthography and semiotic symbols in translation; translation of different types of survey materials; and various stages of translation, review, and evaluation. This accessible book not only demonstrates how sociolinguistics can be a useful framework to address thorny survey translation problems but also provides practical and useful tools to guide survey translators and survey practitioners as they conduct and evaluate survey translations. Presenting an easy-to-implement yet comprehensive survey translation methodology and providing practical tools for survey translators, practitioners, and students, this book is the essential guide to this fast-growing area.

Public Relations Strategy Sandra M. Oliver, 2009-11-03

This challenging book reflects the intense discussion that is taking place on the nature of public relations and how it develops and supports management strategy. It links models and theories of strategic management to the PR function and discusses how globalization and the Internet are changing organizational PR strategy. This new and updated version of Public Relations Strategy explains how PR lies at the heart of sound ethical corporate communication as a core strategic management function. The new edition explores the following topics: PR as strategic and issues management; the governance role of PR within organizations; attaining and maintaining reputation; internal communication as PR strategy; online/offline media relations; research matters; exploration and evidence; managing ethics and evaluation in PR programming. Including many new international case studies, this fully updated third edition of Public Relations Strategy is a useful addition to the thinking practitioner's library and an invaluable learning tool for students undertaking examinations in PR and related disciplines.

The Handbook of Linguistics Mark Aronoff, Janie Rees-Miller, 2017-03-08 The first edition of this Handbook is built on surveys by well known figures from around the world and around the intellectual world reflecting several different theoretical predilections balancing coverage of enduring questions and important recent work Those strengths are now enhanced by adding new chapters and thoroughly revising almost all other chapters partly to reflect ways in which the field has changed in the intervening twenty years in some places radically The result is a magnificent volume that can be used for many purposes David W Lightfoot Georgetown University The Handbook of Linguistics Second Edition is a stupendous achievement Aronoff and Rees Miller have provided overviews of 29 subfields of linguistics each written by one of the leading researchers in that subfield and each impressively crafted in both style and content I know of no finer resource for anyone who would wish to be better informed on recent developments in linguistics Frederick J Newmeyer University of Washington University of British Columbia and Simon Fraser University Linguists their students colleagues family and friends anyone interested in the latest findings from a wide array of linguistic subfields will welcome this second updated and expanded edition of The Handbook of Linguistics Leading scholars provide highly accessible yet substantive introductions to their fields it s an even more valuable resource than its predecessor Sally McConnell Ginet Cornell University No handbook or text offers a more comprehensive contemporary overview of the field of linguistics in the twenty first century New and thoroughly updated chapters by prominent scholars on each topic and subfield make this a unique landmark publication Walt Wolfram North Carolina State University This second edition of The Handbook of Linguistics provides an updated and timely overview of the field of linguistics The editor s broad definition of the field ensures that the book may be read by those seeking a comprehensive introduction to the subject but with little or no prior knowledge of the area Building on the popular first edition The Handbook of Linguistics Second Edition features new and revised content reflecting advances within the discipline New chapters expand the already broad coverage of the Handbook to address and take account of key changes within the field in the intervening years It explores psycholinguistics linguistic anthropology and ethnolinguistics sociolinguistic theory language variation and second language pedagogy With contributions from a global team of leading linguists this comprehensive and accessible volume is the ideal resource for those engaged in study and work within the dynamic field of linguistics

Englishes in Multilingual Contexts Ahmar Mahboob, Leslie Barratt, 2014-06-17 The chapters in this volume allow readers to develop a broad understanding of the issues around language variation and to recognise pedagogical implications of this work in multilingual contexts The authors explore how variations in Englishes around the world relate to issues in English language teaching and learning The English language has always existed alongside other languages However the last 200 years have shown a dramatic increase in the range extent and context of contact between English and other languages As a result of this contact we find marked variations in Englishes around the world The first part includes chapters of importance in studying English language variation in the context of education The

second part builds on an understanding of variation and identifies pedagogical possibilities that respect language variation and yet empower English language learners in diverse contexts Language George Melville Bolling, Bernard Bloch, 2008

The Routledge Handbook of Hispanic Applied Linguistics Manel Lacorte, 2014-09-19 This book provides a comprehensive overview of Hispanic applied linguistics allowing students to understand the field from a variety of perspectives and offering insight into the ever growing number of professional opportunities afforded to Spanish language program graduates The goal of this book is to re contextualize the notion of applied linguistics as simply the application of theoretical linguistic concepts to practical settings and to consider it as its own field that addresses language based issues and problems in a real world context The book is organized into five parts 1 perspectives on learning Spanish 2 issues and environments in Spanish teaching 3 Spanish in the professions 4 the discourses of Spanish and 5 social and political contexts for Spanish The book s all inclusive coverage gives students the theoretical and sociocultural context for study in Hispanic applied linguistics while offering practical information on its application in the professional sector

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