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## Methodologies and methods in forensic linguistics

Bobir Ashurov<sup>1</sup>

### Abstract

Forensic linguistics applies linguistic theories and methodologies to legal and criminal investigations, offering critical insights into language use in the context of law. This article focuses on the theoretical foundations of forensic linguistics, examining key methodologies such as qualitative and quantitative approaches, corpus linguistics and the application of linguistic theory to legal cases. The discussion also covers various methods used in forensic linguistics, including authorship attribution, forensic phonetics, pragmatic analysis and sociolinguistic profiling. By exploring case studies like the Unabomber case, J.K. Rowling's authorship and the Derek Bentley case, the article illustrates how these theoretical frameworks are applied to real-world issues. Through this exploration, the paper highlights the importance of forensic linguistics in bridging the gap between language and law, emphasizing its theoretical foundations and methodological approaches.

**Key words:** *corpus linguistics, authorship attribution, forensic phonetics, pragmatic analysis, sociolinguistic profiling, legal investigations, criminal investigations.*

### Main part

Forensic linguistics, a sub-field of applied linguistics, plays a vital role in legal and investigative contexts. It involves the application of linguistic principles to analyze texts, spoken words, and other forms of communication to aid in criminal investigations, legal disputes, and law enforcement processes [Olsson PDF, 2]. The discipline bridges the gap between language and the law, offering tools to uncover meaning, identify authors, and detect deception [Khoiyi 2014].

The history of forensic linguistics dates back to the mid-20th century when scholars began exploring the relationship between

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linguistic patterns and legal cases. Early pioneers like Jan Svartvik highlighted its importance in re-analyzing evidence presented in trials, such as confessions [Svartvik 1968, 44]. Over the decades, forensic linguistics has evolved into a robust discipline, employing both traditional linguistic methods and advanced computational tools.

The methods employed in linguistic analysis can be applied equally in legal and non-legal contexts. Georgetown linguist Roger Shuy argues that there is no fundamental distinction between a linguist and a forensic linguist [Shuy 1996, 200]. He explains that he does not identify himself as a forensic linguist, nor does he object to the term. Instead, he considers himself a linguist who happens to analyze language data linked to a court case. According to Shuy, the term “forensic” simply describes the context of the language issue rather than altering the nature of the linguistic analysis itself.

Shuy further asserts that linguistics as a discipline upholds principles of objectivity and scientific precision in its analyses. Its application to external fields, including legal cases, should remain impartial and free from bias toward any party. He stresses that it is the lawyer’s role to determine whether the linguist’s findings are beneficial to their case. A skilled and trained linguist, Shuy argues, can accurately describe language and linguistic processes [Shuy 1996, 240].

However, since many cases are centered on resolving specific issues, the linguist must exercise creativity in selecting the most suitable methods – or even combining approaches – to address the problem effectively. Additionally, presenting findings to legal professionals, particularly in the high-pressure environment of a courtroom, requires clear and impactful communication skills [Coulthard and Johnson 2007].

This article looks at the various methods and techniques used in forensic linguistics and how they help solve language-related issues in legal settings. It highlights their adaptability and scientific accuracy, explaining both their theoretical basis and practical uses to show how forensic linguists aid in justice through language analysis.

Before addressing the core concepts, it is essential to first examine the key terms methodology, methods, and tools that will be used in forensic linguistics.

Methodology in linguistic forensic examination refers to the

theoretical framework that underpins the analysis. It encompasses the principles, rules, and strategies guiding linguistic inquiry to address specific legal questions. Methodology provides the blueprint for how linguistic theories are applied in practice and ensures that investigations align with reliability and validity standards.

Methods are the systematic approaches derived from the overarching methodology, offering specific strategies for analyzing lexical, semantic, syntactic, pragmatic, and stylistic elements within texts. These methods adapt to the requirements of particular cases, such as determining authorship, analyzing defamatory content, or assessing plagiarism.

*Techniques* represent the practical tools and procedural steps utilized within a given method to analyze linguistic features effectively. For instance, stylometric analysis employs statistical tools to measure patterns in sentence structure and word choice. Techniques such as keyword frequency analysis, concordance generation, and semantic mapping enhance the precision of linguistic examinations.

The interplay between methodology, methods, and techniques is critical in linguistic forensic examination. Methodology provides the theoretical foundation that informs the choice of methods appropriate for a case. These methods, in turn, dictate the techniques used to execute the analysis. For example, in cases involving defamatory statements, the methodology might draw from discourse analysis principles. The method could involve lexical analysis of word usage to identify bias, while the technique might include employing computational tools to generate keyword frequency reports.

This structured approach ensures that forensic linguists can effectively bridge theoretical frameworks with practical applications, addressing complex linguistic and legal challenges in a systematic and transparent manner.

### **Foundational Principles of Methodology in Forensic Linguistics**

Methodology is essentially an approach to studying a phenomenon, object, or event to achieve a particular objective. Within forensic linguistic expertise, the term “method” refers to a system of techniques whether logical or instrumental that facilitate the collection of information needed to draw theoretical conclusions

and address practical issues in expert analysis [Kuznetsov 2022, 6 – 17].

The application of techniques and methods in forensic linguistic expertise is guided by key principles, including legality, ethical standards, scientific validity, accuracy, reliability, efficiency, and safety. These principles ensure that the methodologies employed are systematic, credible, and appropriate for forensic contexts [Korukhov 1997, 432].

Objectivity serves as a cornerstone of forensic linguistic methodology, mitigating subjective biases and ensuring reproducible results. This principle demands the use of standardized procedures and thorough documentation to maintain transparency throughout the analytical process, which is particularly vital in legal settings where precision is paramount.

Another critical principle is relevance, which ensures that the methodology directly addresses the linguistic aspects significant to the case at hand. For instance, cases of plagiarism necessitate methods that emphasize text similarity and originality, while hate speech investigations may rely on the analysis of pragmatic and contextual language features to draw meaningful conclusions.

The multidisciplinary integration of insights from fields such as psychology, law, and computational linguistics greatly enriches forensic linguistic methodology. This approach ensures that analyses are comprehensive and the conclusions derived are robust. Incorporating expertise from various disciplines also broadens the scope and depth of forensic investigations, allowing linguists to address increasingly complex cases.

Consistency in applying analytical frameworks across cases enhances the reliability and trustworthiness of findings. At the same time, methodologies in forensic linguistics must remain adaptable to accommodate the dynamic nature of language. This includes adapting to new forms of communication, such as digital slang, emojis, and multimodal texts, which present unique challenges for forensic analysis.

### **Methodologies in Forensic Linguistics**

In the field of linguistic expertise, methodology represents a systematic framework for understanding language, including its approaches, principles, and limitations. It plays an essential role by:

- Identifying and structuring the subject of study;
- Setting clear research objectives;

- Devising appropriate methods and tools for analysis;
- Assessing the validity and relevance of the research findings.

The primary methodological approaches in forensic linguistic expertise address two key theoretical and methodological tendencies. The first focuses on applying standardized methods based on reliable and validated practices within the framework of modern forensic expertise theory. The second emphasizes a creative approach, often referred to as trial-driven innovation, which involves incorporating innovative linguistic methods into the examination process [Musulmonova 2022].

These two tendencies are fundamentally contrasting in their theoretical and methodological nature, with one often taking precedence in expert practice. From our perspective, developing straightforward and precise methodologies that align with the essence and requirements of forensic expertise is essential. Regardless of the type of examination, forensic expertise typically adheres to three structural components: the composition of the text, the message it conveys, and the purpose of the message.

When defining the methodology of forensic linguistic expertise, it is necessary to address issues related to organizing practical activities, the process of conducting linguistic expertise and the methods involved, based on existing theoretical principles. This includes naming forensic linguistic expertise as a distinct field, identifying the specialized knowledge and skills required, and defining the research subject and objectives (the tasks of the expert). Additionally, it is important to specify the object of study, outline the system of methods to be used, and formulate the research results in the form of conclusions. These elements are essential for organizing forensic linguistic expertise, ensuring that the expertise is grounded in specialized knowledge, follows a structured approach, and produces reliable results.

Forensic linguistics methodologies encompass a range of techniques used to analyze both written and spoken data, with the aim of providing linguistic evidence in legal contexts. Spoken data includes various types of recordings, such as those captured by surveillance systems, law enforcement body cameras, or emergency services during phone calls. These recordings may also involve police interviews or court proceedings featuring witnesses, victims, or suspects. In today's digital age, sources like chat room recordings, social media videos, and voice messages have also become increasingly prevalent.

Written data, on the other hand, spans a wide range of materials. Václava Musilová, in her study published in *Čeština doma a ve světě* (2005), observed that texts analyzed in criminal contexts originate from diverse fields such as personal communication, administrative work, journalism, and professional documentation [Musilová 2005, 65 – 70]. This variety reflects differences in language use, author intent, and subject matter. Examples include personal letters, workplace memos, diary entries, wills, official documents, witness testimonies, and translations.

Over time, technological advancements have influenced the nature of written materials studied in forensic linguistics. While handwritten documents were once dominant, printed and digital texts are now more common. Emails, text messages, online chats, social media posts, and even digital advertisements are frequently analyzed. This shift reflects the increasing prominence of electronic communication in everyday life.

Forensic linguistics has also been applied in high-profile cases, as highlighted by Jack Grieve and Helena Woodfield in *The Routledge Handbook of Forensic Linguistics* [Grieve, Woodfield 2021]. For example, linguistic techniques were used to investigate the authorship of controversial tweets attributed to Donald Trump and to determine the nationality of a hacker responsible for leaking emails that impacted Hillary Clinton's political campaign. These cases demonstrate the growing importance of language analysis in addressing complex criminal and political matters, even though its significance is not always widely recognized.

Forensic linguistics methodologies encompass both written and spoken materials, as well as non-verbal communicative tools [Gart 2019, 174 – 180]. As the field continues to develop, its scope expands to include not only verbal communication but also visual and physical cues. This highlights the increasing complexity of linguistic expertise, where both verbal and non-verbal communication means must be considered when analyzing the object of forensic linguistic analysis.

The object of forensic linguistic expertise includes a broad range of materials: written texts, signatures, legal documents, and even body patterns such as tattoos, alongside advertising materials, slogans, and logos. Experts can identify hidden forms of incitement or extremist language in video and audio content by analyzing linguistic features of the speech. This extends to identifying potential cases of defamation, humiliation, or harm to a person's reputation

through both linguistic and legal lenses.

Moreover, the role of the linguist-expert is not limited to examining written or spoken texts. A comprehensive forensic analysis involves examining all communicative materials produced by individuals, including the communicative actions of the participants and non-verbal tools. The non-verbal aspects of communication, including gestures and facial expressions, play a crucial role in providing a holistic understanding of a situation.

The forensic linguist evaluates both objective and subjective factors during the analysis. Objective factors may include the context (location, time, situation), the method (oral or written), and the use of mass media, while subjective factors involve assessing the intent behind the speech, such as the presence of guilt, reason, or purpose. For example, when analyzing speech that could potentially harm an individual's reputation, the expert considers both the linguistic and psychological aspects of the speech.

The process of forensic linguistic expertise requires a precise and impartial approach. It is essential to maintain a clear and evidence-based conclusion based on objective data and established methodologies. This is particularly crucial when dealing with complex cases, such as extremist language or hate speech, where the expert must ensure that the legal and linguistic frameworks align to facilitate accurate analysis.

Lastly, the tasks of the linguist-expert involve assisting judicial bodies, investigators, and legal professionals in substantiating cases based on special knowledge. However, challenges may arise when existing legal frameworks do not fully address the scope and authority of forensic linguists, making it necessary to establish clear legal guidelines for the linguist-expert's role in the judicial process.

### **2.1. Qualitative and Quantitative Approaches.**

Forensic linguistics employs both qualitative and quantitative methodologies to analyze language [Camacho, Panizo-LLedot, Bello-Orgaz, Gonzalez-Pardo & Cambria 2020, 88 - 120]. Forensic linguistics utilizes a combination of qualitative and quantitative approaches, with corpus linguistics serving as a foundational methodology, to analyze language patterns and uncover crucial insights in criminal investigations [Durant 2016, 96 - 99].

**Qualitative Methods:** These involve the close examination of linguistic features, such as grammar, syntax, and semantics, to interpret meaning and intent. For instance, a forensic linguist might

analyze the conversational style of a suspect to determine whether their statement aligns with known facts. Quantitative research involves collecting numerical data, which can be achieved by converting participants' responses into numbers or obtaining financial data from organizations' financial reports. Since this approach focuses on numerical data, it does not examine the specific content of individual responses. Instead, questionnaires are often used to gather responses, which can then be analyzed using statistical tools such as SPSS.

**Quantitative Methods:** These rely on statistical analysis to identify patterns in language. Techniques such as word frequency counts, cluster analysis, and computational models are often used to establish authorship or detect anomalies in text.

Quantitative research involves collecting numerical data, which can be achieved by converting participants' responses into numbers or obtaining financial data from organizations' financial reports. Since this approach focuses on numerical data, it does not examine the specific content of individual responses. Instead, questionnaires are often used to gather responses, which can then be analyzed using statistical tools such as SPSS. On the other hand, qualitative research focuses on collecting data related to participants' responses and exploring how they interpret the questions and the context in which they are asked to respond [Chu, Ke 2017, 284 – 294]. This type of research typically involves open-ended questions in questionnaires and face-to-face interviews to extract detailed information from participants' replies.

## **2.2. Corpus Linguistics as a Foundational Methodology.**

Corpus linguistics forms the backbone of many forensic analyses. A corpus is a large, structured collection of texts that allows researchers to study language use empirically. In forensic contexts, corpora are used to:

- Compare disputed documents with known samples of writing.
- Analyze regional dialects or linguistic idiosyncrasies.
- Examine speech patterns in audio recordings. For example, when determining authorship, a linguist might compare a suspect's emails against a corpus of general English to identify distinctive linguistic markers. Corpus analysis involves using corpus technologies in linguistic expertise and helps address key tasks such as:
  - Developing interpretations (semantic clarification) and defining the meanings of words or phrases;

- Refining dictionary definitions;
- Evaluating how frequently a word or phrase is used in a specific context or meaning;
- Analyzing the presence or absence of particular semantic components in a word's meaning;
- Identifying ellipses in texts [Baranov 2007, 479].

In current linguistic research, various corpora are regularly used. These corpora, such as those focusing on internet texts, are dynamic and constantly evolving. Although these resources are highly useful in linguistic analysis, it is important to ensure the data is representative. Search engines organize results based on a mix of user queries and their own internal policies, which can influence what information appears most prominently.

Some search engines prioritize certain results, while others may neglect entire categories of websites. Since the policies of search engines are not fully transparent, it is challenging to justify the representativeness of the data. To address potential biases, comparing search results from different engines can help correct distortions and ensure more reliable results [Baranov 2007, 483].

Corpus tools serve as an effective resource in authorship attribution, provided there is a sufficiently large sample for comparison between the questioned texts and others with known authorship. By analyzing texts, it is possible to identify similarities in stylistic markers, such as the frequency of specific words and their patterns of co-occurrence or collocation. These methods can also be valuable in cases of copyright infringement, helping to determine the extent of unacknowledged copying embedded in a publication claimed to be derived from a previously published work [Durant 2016].

Additionally, corpus analysis has been employed in resolving textual disputes related to unauthorized use of words and ideas, such as plagiarism. A corpus linguist, offering a different kind of authority compared to automated plagiarism detection software, can identify textual features that either support or rule out direct copying. Detecting paraphrased or translated plagiarized texts is more complex, but forensic linguists have recently developed techniques to address this challenge [Turell 2008, 265 – 299]. Advanced plagiarism software operates differently from search engines; for example, it allows for segment-by-segment comparison (which improves accuracy) and can detect variations in word forms

as matches (e.g., detecting “detecting” and “detection”) [Woolls 2012].

Plagiarism-related issues have grown in various sectors, including education, due to the easy access to texts on the internet. Many universities and professional organizations now utilize automated plagiarism detection software to screen submitted work. However, the internet also serves as a valuable corpus for detecting plagiarism, even as it facilitates the act itself.

### **2.3. Case Studies in Forensic Linguistics.**

Case studies provide insight into the practical application of forensic linguistic methodologies. One notable case involved the Unabomber, Theodore Kaczynski, who was identified through linguistic patterns in his manifesto. By comparing his writings to previously known samples, experts pinpointed unique features that matched Kaczynski’s style, leading to his arrest.

The Unabomber case remains one of the most iconic examples of forensic linguistics in action within the United States. Beginning in 1978, a series of homemade bombs targeted universities and airlines, claiming multiple victims over 17 years. The breakthrough in the investigation came in 1995 when Ted Kaczynski, the perpetrator, sent a 35,000-word manifesto titled *Industrial Society and Its Future* to major newspapers. Published in *The Washington Post*, the manifesto captured the attention of Kaczynski’s brother, David, who provided the FBI with personal letters and documents authored by Ted.

FBI agent James Fitzgerald conducted a linguistic analysis, comparing the manifesto’s language with Kaczynski’s known writings. This analysis highlighted distinctive linguistic patterns, including the use of Northern dialect expressions such as “rearing children,” which suggested Kaczynski’s regional upbringing. Additional features, such as unique spellings, frequent use of masculine pronouns, biblical-style phrasing, and specialized vocabulary from diverse fields, helped profile Kaczynski as an educated individual from a Northern dialect area. These linguistic markers provided critical evidence, securing a search warrant for Kaczynski’s remote cabin, where incriminating materials were found, leading to his arrest in 1996 [Federal Bureau of Investigation 2024].

This case demonstrates how forensic linguistics can offer pivotal insights into criminal investigations, reinforcing the field’s evolution into a recognized academic and professional discipline.

Through detailed linguistic profiling, investigators bridged a gap in an otherwise elusive case, emphasizing the practical power of language analysis in achieving justice.

### **Methods in Forensic Linguistics**

Forensic linguistics employs a variety of specialized methods to analyze and interpret linguistic evidence. These methods are essential in uncovering hidden patterns, identifying authors, and evaluating the credibility of communication in legal and criminal contexts.

#### **3.1. Authorship Attribution.**

One of the primary goals of forensic linguistics is to determine the authorship of a disputed text. Authorship attribution involves identifying unique linguistic markers in an individual's writing style, often referred to as a "linguistic fingerprint".

In cases where the authorship of a set of documents or a single argumentative document is disputed, a linguist may be called upon to analyze the authorship of the contested text [Heydon 2019]. This typically involves comparing the disputed document with known samples authored by specific individuals. One primary method of authorship analysis is the linguistic approach, which is considered a more traditional way of proving authorship. This method includes both qualitative and quantitative analyses, with a focus on carefully selecting the appropriate tools for investigation. In this approach, one text is compared to another to determine whether they share common authorship [Filipovic, Gascón 2018, 67 – 104]. Furthermore, the concept of a linguistic fingerprint suggests that each language user has a distinct style. Coulthard proposes that individuals, with their unique vocabulary preferences and syntactic choices, display a characteristic writing style [Marfianto, Riadi 2018, 319 – 327]. "Exclusive markers are extremely rare, so determining authorship requires identifying markers, each of which may also appear in the works of other writers".

Stylometry is a computational method that analyzes patterns in writing style, such as word length, sentence structure, and punctuation. Algorithms compare these features in disputed texts with known samples to determine similarities. For example: Lexical Analysis: Examining word frequency and usage [e.g., function words like "and" or "the"].

Syntactic Analysis: Studying sentence structure and

grammatical patterns.

Semantic Analysis: Investigating the meanings and associations of words used.

Stylometry was famously used in the case of J.K. Rowling vs. *The Cuckoo's Calling*, where a forensic linguist identified her as the true author of the novel using linguistic analysis tools [Mackey, 2020].

Forensic linguistics has demonstrated its utility in authorship identification, with notable cases showcasing its effectiveness. One such example is the work of forensic linguist Patrick Juola, who successfully identified J.K. Rowling as the probable author of *The Cuckoo's Calling*, a novel initially published under the pseudonym Robert Galbraith. Juola's analysis, which compared linguistic patterns and stylistic features, provided evidence supporting this claim, which was later confirmed. This case highlights the practical applications of forensic linguistics in uncovering hidden authorship and resolving disputes involving written texts.

Computational Methods Modern computational approaches leverage machine learning to enhance authorship attribution. Algorithms analyze vast datasets to identify patterns, making the process more accurate and scalable.

### **3.2. Forensic Phonetics and Voice Analysis.**

Forensic phonetics, as described by Wright (2017), involves the practical application of phonetic theories and methods in tasks related to law enforcement, legal proceedings, and the presentation of evidence in court [Wright 2017, 212 – 24]. This field also includes the development of new forensic-phonetic theories, knowledge, and techniques. A central aspect of forensic phonetics is speaker identification, often referred to as speaker recognition, which can have distinct meanings depending on the legal or scientific context. Another important element is the analysis of speech passages in which clarity is reduced due to technical or behavioral factors. Speaker identification is regarded as one of the most important tasks within forensic phonetics and includes voice comparison and profiling [Baror, Venter, Adeyemi 2021, 566 –591].

In the context of voice comparisons, speech recordings of an unknown speaker, potentially linked to a crime, are examined. For example, a kidnapper may make a ransom call, and a suspect may be identified as a possible match to the unidentified speaker. If a

recording of the suspect's voice is available or can be obtained, it is then analyzed. Depending on the legal system, telephone conversations or recorded police interviews could serve as evidence if the suspect is uncooperative or if more speech material is needed. After conducting the analysis, a conclusion is reached regarding whether the speech samples come from the same individual or from different people.

Voice comparison analysis may be requested for police investigations or carried out privately without going to court. However, in most cases, the results of these comparisons are documented in detailed, scientifically backed reports that are used as evidence in court. These reports must be presented and defended by the expert in court, depending on the legal system, local regulations, or national laws [Phakiti, De Costa, Plonsky & Starfield 2018, 25-29].

Forensic phonetics focuses on analyzing speech to identify individuals or verify the authenticity of audio recordings. Voice analysis methods include: Acoustic Analysis: Measuring pitch, tone, and speech rhythm using software like Praat. Phonetic Transcription: Identifying distinct pronunciations or accents in a speaker's voice. Spectrogram Analysis: Visualizing sound waves to compare voice samples. Voice analysis played a key role in the infamous Ripper Hoax Tape case, where phonetic experts identified regional accents to narrow down suspects.

### **3.3. Semantic and Pragmatic Analysis.**

Pragmatic analysis examines the social and contextual use of language. This method helps assess intent, deception, and implied meanings in spoken or written texts. Key techniques include: Speech Act Analysis: Evaluating how statements function [e.g., promises, threats, or commands]. Discourse Analysis: Analyzing conversational structures to detect inconsistencies or hidden agendas. For example, in defamation cases, pragmatic analysis can determine whether certain words were used maliciously or as harmless opinions.

The semantic and pragmatic analysis of speech acts focuses on identifying the full set of signs that define a speech act based on its intended illocutionary purpose [Plotnikova, Kuznetsov & Sazhenin 2018, 135]. This approach plays a crucial role in understanding the meaning of linguistic units and classifying them appropriately, especially in forensic linguistic contexts such as analyzing threats or addressing extremism and terrorism.

Linguistic meaning is inherently ambiguous and open to various interpretations. As discussed, meanings are often interpreted rather than directly identified. The issue at hand is not only the range of possible meanings a word or phrase can carry, but also determining the most likely interpretation within a specific context. For instance, what meaning must statement X have held for the readers of document Y on date Z? [Durant, Leung 2016, 98 – 99].

While interpretive evidence can occasionally be accepted in legal proceedings, courts generally rely on their own judgment regarding meaning. Legal professionals often prefer to refer to a dictionary over consulting a linguist when uncertainties arise about meaning. This skepticism towards expert linguistic interpretation stems from the belief that expertise in meaning lies within ordinary language competence. Linguists, however, do not limit their focus to dictionary definitions. They also examine factors like common usage, historical development, collocations, and the social or contextual dimensions of meaning.

In certain legal contexts, meaning evidence can play a significant role in determining the adequacy of product warnings (e.g., the common label “For external use only,” as discussed by Tiersma) [Tiersma, 2024], or in cases where there is a dispute over the similarity of trademarks (e.g., whether the “Mc” prefix in McSleep. McDonald’s carries a patronymic or a broader connotation, as explored by Shuy) [Shuy, 449 – 462]. Additionally, meaning evidence has been used in legal debates over the clarity of jury instructions, such as the concept of “reasonable doubt” as addressed by Dumas [Dumas, 246 – 259].

Pragmatic analysis in forensic linguistics examines how language is used to convey meaning beyond its literal interpretation, often focusing on the interplay between context, intention, and interpretation. Central to this analysis is Grice’s theory of conversational maxims – quantity, quality, relevance, and manner – which provides a framework for understanding the subtleties of legal discourse. In forensic settings, breaches or manipulations of these maxims can reveal significant insights into deception, power dynamics, or attempts to obscure meaning. For example, when a speaker provides excessive information (violating the maxim of quantity) or uses ambiguous phrasing (violating the maxim of manner), it may indicate an intention to mislead or evade responsibility. Similarly, relevance violations often occur in witness statements or interrogations, where individuals may deliberately

divert attention. This pragmatic lens not only highlights the linguistic strategies employed in legal contexts but also underscores the critical role of cooperation, relevance, and implied meaning in ensuring effective and transparent communication within forensic settings [Coulthard, Johnson 2007, 128 – 132].

### **3.4. Sociolinguistic Profiling.**

Sociolinguistic profiling, a method within forensic linguistics, provides insights into how language functions in context by classifying and categorizing its use, especially within legal settings. This technique enables forensic linguists to gather information about anonymous authors or the concealed origins of texts. Although linguists cannot make psychological judgments about authors or their intentions, they can infer the social backgrounds or origins of the authors based on language features present in the text. Widely used in the context of computer-mediated communications, this method has been shown to be useful in influencing case outcomes and supporting justice. While conclusions about the context of an anonymous author may not always provide definitive proof for courtroom use, as demonstrated by previous cases, they can help clarify the logic of a case, identify inconsistencies or falsehoods in statements from suspects, and improve the progress of legal proceedings. Additionally, this method can help investigators determine where a text was written, the tools used in its creation, and any tampering with the text, all of which facilitate the collection of evidence and the smooth operation of legal hearings [Baranov 2017, 18].

Sociolinguistic profiling aims to identify a speaker's background, including their:

- Regional dialect or accent.
- Social class or education level.
- Ethnic or cultural influences on language use.

This method was famously employed in the case of the “Black Dahlia Avenger” letters, where experts analyzed the writing style to hypothesize the perpetrator's social background.

### **3.5. Deception Detection.**

Deception detection involves analyzing linguistic patterns to uncover lies or omissions. This includes: Statement Analysis: Identifying inconsistencies or unusual language use in statements. Linguistic Red Flags: Excessive use of negation, over-explanations, or distancing language [e.g., avoiding personal pronouns]. For instance, forensic linguists have analyzed ransom notes to detect

deceptive statements and determine the author's psychological state. Forensic linguistic methods have also contributed to the development of Voice Risk Analysis (VRA) technology, which is employed for detecting deception and fraudulent activities. This technology is commonly used in anti-fraud investigations, particularly in the insurance industry, where it helps identify potential fraud. Local authorities also utilize VRA in their investigations. In the UK, corporate users of VRA technologies have reported that they can effectively reduce fraud, although certain limitations make it challenging to accurately identify fraudsters.

It is important to highlight that VRA is not based on phonetics, as discussed in the literature review. However, many experts have expressed doubts and concerns regarding its validity and reliability. Business experts have also conducted research using simulation tools in controlled lab settings, concluding that VRA can be useful for detecting indicators of deception [Toghuj 2021].

### **Applications of Forensic Linguistics**

Forensic linguistics has proven to be a valuable tool in numerous real-world contexts, where the analysis of language has played a pivotal role in solving crimes, resolving disputes, and improving the legal system. Its applications extend across various domains, including criminal investigations, civil litigation, and even counterterrorism efforts.

#### **4.1. Criminal Investigations.**

Forensic linguistics is most prominently used in criminal cases to analyze written and spoken evidence. Identifying Anonymous Authors. In cases involving threatening letters, ransom notes, or cybercrimes, forensic linguists can uncover the identity of an author through stylistic and lexical analysis. Example: The Unabomber case, where linguistic experts identified Theodore Kaczynski as the author of the infamous manifesto based on unique phrases and word choices. Voice Identification in Audio Evidence Forensic phonetics is often used to verify whether a suspect's voice matches that in a recording. This is crucial in cases involving recorded threats or confessions. Detecting Deception Through the analysis of language structure and choice, forensic linguists can identify inconsistencies or signs of deception in statements. Example: In police interrogations, linguists can analyze a suspect's use of distancing language or unusual verbosity to detect dishonesty.

#### 4.2. Legal Disputes and Civil Cases Authorship Disputes

**Forensic linguistics is often used in copyright disputes to determine whether a piece of writing or speech was plagiarized or falsely attributed. Example:** The case of J.K. Rowling and *The Cuckoo's Calling*, where stylometric analysis confirmed her authorship under the pseudonym Robert Galbraith. Contractual Disputes Linguists analyze the wording of contracts to interpret ambiguities or inconsistencies, helping courts decide on the intent behind specific clauses.

#### 4.3. Counterterrorism and National Security.

Forensic linguists contribute to counterterrorism efforts by analyzing extremist propaganda, intercepted communications, or coded language. Example: Linguists have helped decode messages in terrorist communications to uncover plots and identify networks.

#### 4.4. Enhancing the Legal System.

Forensic linguistics also plays a role in improving legal processes, such as: Simplifying Legal Language: Linguists work on making legal documents more accessible to laypeople by analyzing and rewriting complex language. Evaluating Witness Statements: Linguists assess whether statements provided in legal contexts reflect coercion, misinterpretation, or translation errors.

#### 4.5. Case Study: The Derek Bentley Case.

Forensic linguistics has also been pivotal in revisiting historical injustices. The Derek Bentley case in Britain stands as a landmark example of the application of forensic linguistics. Bentley, arrested during a robbery in the 1950s, was accused of inciting his accomplice, Chris Craig, to shoot a policeman by allegedly shouting the phrase, "let him have it, Chris". This ambiguous statement became a focal point of the trial, with debates centering on whether it was an instruction to fire or to surrender the weapon. Bentley was ultimately found guilty and hanged, but the case remained contentious, spurring further investigation decades later.

Malcolm Coulthard analyzed this case, paying particular attention to linguistic patterns in Bentley's recorded confession [Coulthard 2005, 9-28]. Coulthard's research revealed discrepancies in the language used, particularly the frequency of the word *then* and the structures *I then* and *then I*. He noted that *then* appeared 29 times in police officers' statements — approximately once every 78 words — compared to only one occurrence in 930 words from ordinary witness statements. Furthermore, the structure *I then*, identified as characteristic of police register, appeared seven times

in Bentley's statement and 26 times in police officers' statements. These findings indicated that Bentley's recorded confession bore significant linguistic influences from police language rather than his own speech [Coulthard 1998, 117 – 130].

Coulthard's linguistic evidence, combined with other newly surfaced insights, played a critical role in the 1993 posthumous pardon of Bentley, illustrating the profound impact forensic linguistics can have on revisiting and rectifying miscarriages of justice.

### **Limitations and Challenges**

Forensic linguistics plays a critical role in legal and criminal investigations, but it also faces several limitations and challenges that can impact its effectiveness and reliability.

#### **5.1. Expertise and Reliability.**

One of the primary challenges in forensic linguistics is ensuring that experts have the appropriate training and qualifications. Without formal regulation or standardized accreditation for forensic linguists, there is a risk of unreliable expert testimony influencing legal decisions [Foulkes, P., P. French, & K. Wilson 2019, 91-116]. This lack of clear regulations may undermine the credibility of linguistic evidence, potentially leading to wrongful convictions or other miscarriages of justice [Meluzzi, Cenceschi, Trivilini 2020]. While there have been no major incidents of misuse, this issue still poses a barrier to the broader adoption of forensic linguistics in the justice system.

#### **5.2. Public Perception and the CSI Effect.**

Forensic linguistics has also been affected by the "CSI effect", a phenomenon where public expectations about forensic methods are shaped by fictional portrayals in media [Singh, Sudhakar 2017]. The public may expect definitive answers from linguistic analysis, but many forensic linguistic methods involve complex and interpretive processes that do not always provide clear-cut conclusions. For instance, techniques like personality analysis or truth detection based on speech patterns have been criticized for their lack of scientific grounding, yet public trust in such methods remains high [McMenamin 2020, 539 – 557].

#### **5.3. Challenges with Language Interpretation and Certainty.**

Forensic linguists are often under pressure to present objective conclusions, but the subjective nature of language

analysis makes this difficult. Many linguistic features such as intent, meaning, and context are open to interpretation and may vary depending on the specific circumstances of the case. Experts argue that it is unreasonable to expect absolute certainty from linguistic analysis in these situations. Legal professionals may also struggle to fully understand the technical language of linguistic analysis, making it challenging to assess the validity of expert conclusions. This lack of understanding can affect how linguistic evidence is used in the courtroom.

#### **5.4. Technical Limitations.**

Even without the reliance on specific technologies or apps, forensic linguistics faces significant limitations in the techniques used for analysis. For example, sociolinguistic profiling – while valuable — often lacks the reliability and validity required for use as evidence in criminal convictions. Furthermore, phonetic analyses, such as voice identification, can be time-consuming and expensive to implement, limiting their practical application in legal settings. The complexity of voice and memory means that voice recognition is often less reliable than other identification methods, such as facial recognition.

#### **5.5. Ethical Considerations.**

Ethical issues also arise in forensic linguistics, particularly regarding the use of certain methods without sufficient empirical validation. Relying on sociolinguistic profiling or other linguistic techniques without a strong evidence base can lead to biased or unjust conclusions. Additionally, the pressure to provide conclusive results in legal cases may sometimes overlook the nuanced nature of language, leading to oversimplifications in interpretations of intent, threat, or meaning.

### **Conclusion**

Forensic linguistics, or linguistic expertise in legal and criminal contexts, stands as an interdisciplinary field that merges linguistic theory with legal practices. This article has explored the key methodologies and methods that form the foundation of forensic linguistics, examining both qualitative and quantitative approaches. Through an in-depth discussion of corpus linguistics, authorship attribution, forensic phonetics, pragmatic analysis, and sociolinguistic profiling, it has become clear that these methods are essential in uncovering meaning, intent, and identity within legal settings.

The application of these methodologies to real-world cases, such as the Unabomber case, J.K. Rowling's authorship dispute, and the Derek Bentley case, demonstrates the practical relevance and power of forensic linguistics. While these case studies offer insights into how linguistic analysis can contribute to solving legal issues, the strength of forensic linguistics lies in its theoretical underpinnings. These methodologies are not only tools for investigation; they are rooted in deep linguistic theory that allows experts to dissect language patterns, understand contextual subtleties, and offer objective conclusions within the framework of the law.

By examining how language functions in legal contexts, forensic linguistics bridges the gap between linguistics and law, providing a powerful approach for understanding both communication and legal processes. The field continues to evolve, refining its theoretical models and expanding its methods to meet the growing complexities of modern legal and criminal investigations. Ultimately, forensic linguistics is indispensable for bringing clarity and precision to legal language, helping to ensure that justice is served through the lens of expert linguistic analysis.

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# Sud-ekspertiza lingvistikasida uslubiyat va uslublar

Bobir Ashurov<sup>1</sup>

## Abstrakt

Lingvistik ekspertiza tilshunoslik nazariyalarini va metodologiyalarini huquqiy va jinoyat tergovlarida qo'llaydi, bu esa huquq kontekstida tilning qanday ishlatilishini chuqur tahlil qilish imkonini beradi. Ushbu maqola lingvistik ekspertizaning nazariy asoslariga e'tibor qaratib, sifatli va miqdoriy yondashuvlar, korpus lingvistika va tilshunoslik nazariyasining huquqiy holatlarga tatbiqi kabi asosiy metodologiyalarni o'rganadi. Shuningdek, maqolada forensik lingvistika sohasida qo'llaniladigan turli metodlar, jumladan, mualliflikni aniqlash, forensik fonetika, pragmatik tahlil va sotsiolingvistik yoritish keltirilgan. Unabomber ishi, J.K. Rowlingning asar muallifligi va Derek Bentley ishi kabi holatlar orqali maqola bu nazariy asoslarning real holatlarga qanday tatbiq etilishini ko'rsatadi. Ushbu tadqiqot orqali maqola lingvistik ekspertizaning til va huquq o'rtasidagi bo'shliqni to'ldirishdagi ahamiyatini, uning nazariy asoslari va metodologik yondashuvlarini ta'kidlaydi.

**Kalit so'zlar:** *korpus lingvistika, mualliflikni aniqlash, forensik fonetika, pragmatik tahlil, sotsiolingvistik yorituv, huquqiy tergovlar, jinoyat tergovlari.*

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