## Contents

Li	st of Tables and Figures	i
Fo	oreword by Roger W. Shuy	хi
A	cknowledgements	X
In	troduction	
	Linguistic expert testimony in or pro foro in Germany	4
	Range of variation of linguistic expert testimony in	
	the German legal context	9
	Overview of chapters and notes on the genealogy	
	of the texts	14
	Part I The Interdisciplinary Status of Forensic Linguistics	
1	Forensic Linguistics: Its Relatives and Neighbors - An	
	Interdisciplinary Perspective	27
	Introduction	27
	Interdisciplinarity: Perspectives and postulates	30
	Structural similarities and differences between	
	forensic phonetics and forensic linguistics	38
	Part II Forensic Linguistic Research in Germany in the Past	
2	The Linguist as an Expert Witness in German Courts.	
	A View from the 1970s	51
	Orientation	51
	Applied linguistics and theoretical linguistics	52
	Interdisciplinary status of "forensic linguistic"	
	work and the overall aim of linguistic	
	expert opinions in/pro foro	53
	Case A: Analyzing the sense of a text passage	54
	Case B: A press correction or a repetition of the	
	original statement?	57
	Case C: Disputed authorship of an article in the press	58

	Case D: Disputed authenticity of the minutes	
	of a works council meeting	59
	Case E: Fake edition of a company paper	60
	Some methodological characteristics of forensic linguistic	
	expert opinions on authorship attribution (AA)	62
	Case I	63
	Case II	63
3	Status and Tasks of Forensic Linguistic	
	Authorship Analysis	71
	Introduction	71
	Thesis 1: The notion of "idiolect" in linguistics	72
	Thesis 2: The term "forensic linguistics"	73
	Thesis 3: Forensic linguistics as an auxiliary science	73
	Thesis 4: "Features" as a linguistic term	74
	Thesis 5: Methodology of authorship analysis	76
	Thesis 6: The need for theoretical reflection	77
	Thesis 7: Forensic linguistics as a branch of linguistics	78
	Thesis 8: Sub-disciplines of forensic linguistics	79
	Thesis 9: Qualitative and quantitative analysis	79
	Thesis 10: FL anonymous authorship analysis within	
	a sociolinguistic framework	79
	Thesis 11: Dynamic data of speaker-specific behavior	81
	Thesis 12: Linguistic "differential diagnosis"	82
	Thesis 13: Interdisciplinary perspectives	83
	Thesis 14: Documentation of research and casework	84
4	"Shibboleths" as Data of Linguistic Behavior	86
	Introduction	86
	Origin and history of the concept	89
	Descriptive characteristics of shibboleths	90
	Salient structural features of shibboleths	92
	Working definition of shibboleths and	
	domains of occurrence	101
	Summary	107
	Part III Ongoing Research in Forensic Linguistics in Germany	
5	Libel, Linguists, and Litigation in Germany	113
	Orientation	113

		Contents	vii
	German defamation laws		116
	Basic statistics of insults and other offenses		118
	Some differences between German defamation laws An exemplaric libel case: <i>Konkubine</i> in today's		121
	Standard German (1972)		125
	Points of argument		130
	What judges and linguistic experts need to learn about one another		133
	The status of linguistic expert testimony <i>in/pro foro</i>		139
	Outlook and future tasks		141
	Appendix I: "Praxiskommentar" (Herdegen 1975)		143
	Appendix II: Original text of a forensic linguistic		143
	expert opinion (English translation)		144
6	A Heuristic Author and Writer/Typist Taxonomy		149
	Introduction		149
	Dimensions of variation		150
	A heuristic taxonomy of features and variants of		
	authorship and writership of incriminating texts		152
	Relevance for applied linguistic and criminalistic		
	classification of text types		162
7	The System and Diagnostic Potential of		
	Orthographic Data in Forensic Linguistic		
	Authorship Attribution		166
	Introduction		166
	Data of orthographic behavior and anonymous		
	authorship analysis		167
	Status and repertoires of data of written language		
	behavior in anonymous authorship analysis		173
	Exemplaric description of ambiguous orthographic		
	data in FLAA		182
	Summary		190
8	Orthographic Data in Forensic Linguistic		
	Authorship Analysis	-	192
	Introduction		192
	Examples of orthographic data in anonymous letters Continua of orthographic behavior and the		194
	methodological impact for a "idiosyncrasy coefficient	,,	208

	Text type-specific distribution and constraints of linguistic and orthographic features	225
	Summary	223
	Summary	233
	Part IV Outlook and Future Tasks	
9	Language and Law: Some Needs	237
	Introduction	237
	Linguists and lawyers: misconceptions of each	
	and of each other	240
	Problems in forensic interaction: "tricks of the trade"	253
	Intrinsic deficits of linguistic basic research and	
	interdisciplinary projection	256
	Summary	264
10	Outlook	265
Not	es	272
References		274
Inde	Index of Authors	
Sub	ject Index German	284
Sub	ject Index English	286

## List of Tables and Figures

## **Tables**

3.1a	Terminological variants for the description	
	of the variation of forms	75
3.1b	Terminological variation for speaker-specific	
	linguistic features	75
5.1	Defamation laws (excerpt) in the German Penal Code	116
5.2	Share represented by attempts with regard to	
	individual offenses (by offense group)	119
5.3	Insults. Total number of offenses recorded	
	for 1987–2003	121
5.4	Libel letters of Mr. A, June–August 1972	125
5.5a	Questionnaire 2a	128
5.5b	Questionnaire 2b	128
5.6	Distinctive contexts for the word Konkubine	131
6.1	Author and writer constellations from a	
	layman's perspective	152
6.2	Heuristic taxonomy of text products	154
6.3	Distinctive text-profile matrices	160
7.1	Domains of data of forensic text analysis	168
7.2	Deviations in orthography and language	177
7.3	Three heuristic classes of data of orthographic	
	behavior in German	179
7.4	Features of orthographic behavior: excessive and	
	(simultaneous) repeated use of graphemic signs	
	(mainly punctuation)	181
7.5	Styles of orthographic behavior	182
8.1	Classes and types of the "Fugen-s" in German	199
8.2	"Fugen-s" in identical words in the three	
	German-speaking countries	200
8.3a	Spelling of a well-known emblem in German	207
8.3b	Concomitant exceptional spellings	207
8.4	Descriptive and explanatory potential	
	of orthographic data	212
8.5	Different spelling variants of a stereotyped expression	214

## x List of Tables and Figures

8.6	Spacing with parenthesis dashes $\pm$ empty space (ES)	
	before and after parenthesis dashes	216
8.7	Low idiosyncrasy coefficients of OD in a written	
	text of everyday communication	220
8.8	Omission marks (three dots) at the end of a	
	quotation at the end of a sentence at the	
	end of a text-paragraph	221
8.9	Results of spelling experiment with German	
	students (aged 21–28)	224
8.10a	Text type-specific contrast(s) of grammatical,	
	textual and semanto-pragmatic features in	
	anonymous extortion and blackmail letters	
	versus defamation and libel letters	226
8.10b	Text type-specific contrast(s) of graphemic,	
	orthographic and layout features in anonymous	
	extortion and blackmail letters versus	
	defamation and libel letters	227
8.11	Textual parameters and measuring instances	233
9.1	Heuristic taxonomy of needs of cooperations	
	in the field of language and law	239
9.2	Lawyers' assessment of language proficiency	
	of a cleaning lady (original wording of	
	statement sent to the court)	249
9.3	Official court transcript of taped notes of witness	
	interrogation on command of language	251
9.4	Fuzzy norms: Data on hyphenization in	
	German in the word 5-Jahresvertrag	260
9.5	Early occurrences of the word lebensälter	263
Figur	es	
1.1	The field of linguistics	28
1.2	Forensic linguistics and neighboring sciences	29
5.1	English translation equivalents of German	
	insult and defamation offenses	118
5.2a	Section 185, 'insult' (§185 StGB "Beleidigung")	122
5.2b	Section 186, 'malicious gossip'	
	(§186 StGB "Üble Nachrede")	122
5.2c	Section 187, 'defamation' (§187 StGB "Verleumdung")	123
5.3	Areas of forensic linguistic expert testimony	140

6.1	Hierarchical affiliation of features of	
	authorship and writership	157
8.1	Anonymous threatening letter	195
8.2	Example of an exceptional anonymous	
	extortion letter	202