

The applicability of movies in legal language teaching: Evidence from Multi-Dimensional Analysis

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For decades, investigations of Courtroom Discourse have inspired the works of scholars from various disciplines. Since interest has been shown from such a variety of sources, no general consensus has emerged about the perspective which is best suited to such investigations. From a linguistic point of view, the vast majority of these works has concentrated on the language in the courtroom either in terms of interaction (Beach, 1985), dynamics (Luchjenbroers, 1991), and discourse (Pridalová, 1999), or in terms of the traits marking this type of language (Garzone, Miglioli & Salvi 1995), such as the use of particular verb tenses (Beach, 1985) or of *well* as a discourse marker (Innes, 2010). Linguists have also been attracted by the power of language (Gaines, 2002), the role of the presentational style (Conley, O'Barr & Lind 1979) or the role of lawyers and justice (Greenfield, 2001; Silbey, 2001) in the courtroom, and they have also been concerned with narrative and story telling, or how reality is reconstructed in the courtroom (Bennett & Feldman, 1981; Pridalová, 1999; Heffer, 2010). Furthermore, given that trials are made up of different sessions, the specific moments characterizing them, such as cross-examination or the informal talk in sidebar sessions (Gaines, 2002) have also been the object of many studies.

More recently, scholars from fields such as social theory, literary theory, film studies and linguistics (cf. Machura & Ulbrich, 2001), have shown interest in the interrelation between the law and the movies. Some scholars, for example, have considered cultural factors such as the worldwide influence of Hollywood courtroom movies (Machura & Ulbrich, 2001) or the role of courtroom drama as an expression of American popular culture (Kuzina, 2001); others have taken a more historical perspective by depicting the development of American criminal trial films (Rafter, 2001); and others again have focused on the concept of courtroom justice as a genre (Silbey, 2001). The different labels present in these works, which also highlight the difficulty of defining movie genres, well illustrate this absence of agreement: Kuzina (2001), for instance, describes ten basic groups related to movies and the law such as: *courtroom whodunits, legal thrillers, historical courtroom dramas, true crime courtroom dramas, lawyer films, courtroom satires and courtroom comedies, court-martial films, social issue courtroom dramas, hybrid courtroom dramas, and jury room dramas*. Rafter (2001), instead, uses the label *American trial films* to include *criminal trial films, criminal court films, and military criminal trials*. Similarly, Silbey (2001) and Machura & Ulbrich (2001) mention, respectively, the *trial film genre* (Silbey, 2001) and *Courtroom movies or law-related movies* (Machura & Ulbrich, 2001) when referring to movies and the law.

Despite the considerable enthusiasm that the scientific community has shown in the various fields linked to courtroom drama, none of the above works seem to have explored the textual dimensions of Courtroom Discourse in order to verify empirically its textuality and linguistic features. This is what the present paper sets out to examine: by applying Biber's (1988) Multi-Dimensional Analysis to trials, the primary aim is to explore their textuality. Then, starting from the assumption that movie conversation reflects face-to-face conversation, as recent studies have demonstrated (Forchini, 2009a, 2010a, 2012a, 2013a), the second aim is to verify whether, as maintained by Machura & Ulbrich (2001, p. 118), it is really "beyond dispute that the cinematic portrayal of the American

legal system and its personnel is far removed from legal reality”.

The idea behind the study is that if no significant linguistic and textual variability is found between the two investigated domains and if it is confirmed that the linguistic similarity of movie and naturally-occurring conversation is also present at a more specialized level, then it will be plausible to assume that movies are also a rich source not only for teaching the general usage of face-to-face conversation, but also for illustrating the features of more specialized language(s), such as courtroom discourse. The reason for giving such importance to movie language derives especially from the power that movies have to evoke student interest and motivation: it has been shown (Forchini, 2012b, 2013b) that students not only appreciate using them in learning environments, but also increase their linguistic competence by studying with movies. Interestingly, the impact that movies have on students was already pointed out more than 90 years ago: Cunningham’s (1923, p. 489) results proved “that the interest created by the prospect of the moving picture caused the class to work hard during the entire month”. Similarly, during the 40s, Mallery (1948, p. 149) reported that students’ found studying novels “much more interesting” combined with the use of movies in the classroom and described movies “as an appetizing device for achieving other ends in school”.

The reason for choosing courtroom drama, in particular, to examine movies in further detail largely depends on the fact that the interaction of courtroom discourse is usually considered “the closest approximation to everyday speech of all public legal discourses” (Williams, 2005, p. 24); which is an attribute which favors comparisons with previous research (Forchini, 2012a). Besides, the fact that the American adversary procedure is reminiscent of ancient drama makes legal drama an interesting field to investigate from a linguistic point of view, in that it makes language the main actor of the legal event. Moreover, keeping in mind the above-mentioned motivating factor, Courtroom drama is one of the most popular American movie genres which is widely appreciated by the general audience (Kuzina, 2001), so much so that “due to the world wide dominance of American films, viewers in countries with very different legal traditions think their trials follow the United States movie pattern” (Rafter, 2001, p. 24, see also Machura & Ulbrich, 2001). Considering all this, movies can then become a productive source for teaching / learning specialized features of legal language also, for example, to illustrate the rationale for law, and/or to foster critical thinking and analytical skills (see also Ennis, 1989).

Methodologically, real trials are compared to movie trials using corpus-driven criteria (Francis, 1993; Biber, 2009) and Biber’s (1988) Multi-Dimensional Analysis. Data are retrieved from a new sub-corpus of the *American Movie Corpus* (henceforth AMC, Forchini, 2012a), namely, the *American Movie-Trial Corpus*, and from the *American Real-Trial Corpus* (henceforth ARTC, built for the present analysis). Findings show a striking similarity between the two corpora which strongly contrasts the view that movie language is artificial and, thus, not likely to represent spoken language (Gregory and Carroll, 1978; Sinclair, 2004a). The data, indeed, demonstrate that also specialized movie language resembles real language both in terms of textuality and the linguistic items involved in creating such textuality. In particular, the AMTC and the ARTC appear to have four out five Biberian Dimensions in common by displaying *involved production* (cf. D1), *situation-dependent reference* (cf. D3) *non overt expression of persuasion* (cf. D4), and *abstract information* (cf. D5). Furthermore, although they differ as regards Dimension 2 (i.e. *narrative vs. non-narrative concerns*), since movie trials are *non-narrative* and real trials *narrative*, it is demonstrated that this distinction is only apparent: although real trials have a higher distribution of past tenses, both the corpora have a rather high occurrences of present tenses, which are frequent in spoken interaction. This also explains why the two

trials types also result in having a common most significant dimension, i.e. D1: as textual types, they are both strongly characterized by those linguistic features which contribute to an affective, fragmented, interactional, and generalized context (Biber, 1988), rather than other linguistic features marking other dimensions, which are also typical of spoken language and movie language. It is concluded that the data, by supporting the findings of previous research on the similarity of movie and face-to-face conversation (Forchini, 2009b, 2010b, 2011, 2012a), do, on the one hand, confirm the textual type of movie language, and, on the other hand, re-confute the claim that movies have "a very limited value in a general corpus, because they are 'considered' language, written to simulate speech in artificial settings" and thus "are not likely to be representative of the general usage of conversation" (Sinclair, 2004a, p. 80). The present findings also disprove the claim that the cinematic portrayal of the American legal system is far removed from legal reality (Machura & Ulbrich, 2001, p. 118), at least, as far as language is concerned. Needless to say, they also add further value to the role of corpora in teaching, which is often emphasized by numerous authoritative linguists (Hunston, 2002; Mauranen, 2004; Sinclair, 2004b; Reppen, 2010; *inter alia*). Given the similarity of real and movie language, indeed, the main application which derives from the present study is that both teachers and students could benefit from using movie corpora to either teach or learn not only the features characterizing spoken discourse (Forchini, 2012a, 2012b, 2013b), but also those specialized features characterizing legal discourse.

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