



The Language of Murder Cases: Intentionality, Predisposition, and Voluntariness

Roger W. Shuy

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The Language of Murder Cases describes fifteen court cases for which Roger W. Shuy served as an expert language witness. Investigations and trials in murder cases are guided by the important legal terms describing the mental states of defendants: intentionality, predisposition, and voluntariness. Unfortunately, statutes and dictionaries can provide only loose definitions, largely because mental states are virtually impossible to define. The meaning of these terms, therefore, must be adduced either by inferences and assumptions, or by any available language evidence—often the best window into a speaker's mind. Fortunately, this window of evidence exists primarily in electronically recorded undercover conversations, police interviews, and legal hearings and trials, all of which are subject to linguistic analysis before and during trial.

In this book, Shuy explains how vague legal terminology can be clarified by analysis of the language used by suspects, defendants, law enforcement officers, and attorneys. He examines speech events, schemas, agendas, speech acts, conversational strategies, as well as smaller language units such as syntax, lexicon, and phonology, and discusses how these can play a major role in deciding murder cases. In his analysis, Shuy draws on his personal experience testifying at fifteen fascinating murder trials, focusing on the role that language played in each. He concludes with a summary of how his analyses were regarded by the juries as they struggled with the equally vague concept of reasonable doubt.

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