

*Ministry of Higher Education and Scientific Research*

*University of Ain Temouchent – Belhadj Bouchaib*



**Faculty of Letters, Languages and Social Sciences**

**Department of Letters and English Language**

**Exploring the Language of Investigation: a  
Forensic Linguistics Approach**

*An Extended Essay Submitted in Partial Fulfilment of the Requirement for a Master's  
Degree in Didactics and Applied Languages.*

**Submitted by:**

Fairouz Fares

**Supervised by:**

Dr. Benghalem

**Board of Examiners**

<b>President:</b>	Dr. Allal	<b>MCA</b>	Ain Temouchent University
<b>Supervisor:</b>	Dr. Benghalem	<b>MCA</b>	Ain Temouchent University
<b>Examiner:</b>	Dr. Fehaima	<b>MCA</b>	Ain Temouchent University

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## **Dedications**

This work is dedicated to Fairouz Fares.

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## **Abstract**

This current research takes a deep dive into the language of investigation, through analysing the units of the language used inside interrogation rooms during criminal investigation. The study aims at uncovering the linguistic techniques employed by Algerian investigating magistrates during suspect interrogation, as well as determining the factors that influence their linguistic choice. The method used in this study is corpus-based discourse analysis. Two research instruments are utilised; a critical discourse analysis where transcribed interrogations from different criminal charges are analysed. The second instrument is an interview that is held with (3) investigating magistrates. The questions are designed to determine the factors influencing their linguistic choice during the interrogations. Hence, the results obtained from the data collected show that repeating, formulating, and reporting are of a significant importance in the fact-making process during the interrogations. As well as suspects without prior criminal backgrounds are more inclined to confess their crimes than those arrested in the past, which turns to have a major role in determining the IMs linguistic choice. Overall, we could conclude that Algerian investigating magistrates use conversational management to elicit information from criminal suspects.

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## **List of Abbreviations**

**FL:** Forensic Linguistics.

**AL:** Applied Linguistics.

**CDA:** Critical Discourse Analysis.

**IM:** Investigating Magistrate.

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# **General Introduction**

## General Introduction

Language serves as the foundation of human civilization, as it governs communication and the transfer and preservation of information. Numerous linguistic principles and observations can be utilised to address language-related issues. However, it is important to recognize that language is a representation of reality, rather than an exact reflection of it, which makes it possible to be subject to the subject's intrinsic biases and fallacies incongruent with facts. Applied Linguistics (AL), a field of study that looks at how linguistics can help understand real-life problems in different areas, undertook these fallacies and other language-related problems in an attempt to solve them. Nevertheless, when it came to life changing language-related problems like the ones associated with law and criminal justice, a detailed study of language use in law and criminal context was required, which gave birth to the area of study that, yet relatively young, already proved its importance and effectiveness to be considered fundamental in judicial processes, known as Forensic Linguistics. Forensic Linguistics is the study of the judicial process from the arresting to the sentencing stage, that attempt to analyse and identify different points in a written or verbal communication, such as whom the written/spoken piece of evidence belongs to and whether the confession is forced/coerced from the suspect.(Scanlon and Van Houten, 2020).. The legal world is context-rich; it is populated by a hierarchical mini-nation of judges, lawyers, police and investigating magistrates, along with the ordinary men and women from different coatings of society who encounter this peculiar world. Its texts are richly layered with meaning; its distinctive grammar and lexis have evolved over centuries due to a history of specialised use. Preventing and detecting crime is vital in any police mission. Despite recent advances in technology and forensics, obtaining crime-specific information from victims, witnesses, and suspects through investigative interviewing is one of the essential tools for solving any crime. (Rossmo et al., 2019). Interrogating the suspects after their arrest is a fundamental step that draws the path of the rest of the investigation. According to the Algerian criminal system, the first to get in touch with the suspects is the investigating magistrate. The questioning aims at obtaining as much information as possible using different linguistic techniques. Much research covers several aspects of police interrogation, including areas such as interrogation techniques used by the police (Fisher et al, 2005), the production of false confessions (Kassin and Gudjonsson, 2005), and the detection of lies (Vrij, 2008). However, as far as we have reviewed, the studies have yet to investigate the linguistic techniques

implemented during these interrogations. This dissertation first explores the language of investigation. That is, it investigates the linguistic techniques employed by Algerian Investigating Magistrate with suspects during criminal investigations. Moreover, identify the factors that influence their linguistic choice during the interrogations. The main reason for focusing on the language of investigation in the criminal context is a personal interest in the forensic application of linguistics. The focus on interrogations in such context forcefully raises some fundamental questions:

\*What are the main linguistic techniques employed by Algerian investigating magistrates while interrogating suspects during criminal investigations?

\*What are the factors that influence their linguistic choice during these interrogations?

Moreover, in an attempt to answer them, we advance the following working hypotheses:

\*Algerian investigating magistrates may use Conversational Management techniques during the interrogations.

\*Gender may be the main factor that influences their linguistic choice during the interrogations.

In an attempt to answer the two questions, this research adopts a corpus-based discourse analysis to analyse the patterns demonstrated in discourse. The research data is drawn from transcribed interrogations and confessions of different criminal cases from Algerian prison facilities. Two primary research instruments are selected in this study: critical discourse analysis, which aims at analysing the transcribed interrogations and confessions, and explore the linguistic techniques employed but the investigating magistrates , and an interview is held to determine the factors influencing their linguistic choice during the interrogations.

This dissertation contains three chapters. The first chapter is dedicated to the literature review of the study, where a number of disciplines related to the study are defined and elaborated; the second chapter is the practical part of the study, where the research design is presented along with the instruments and data analysis. The last chapter is dedicated to

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discussing the results obtained as well as the limitations of the study and recommendations.

# **Chapter One**

## **Literature Review**

**1.1. Introduction**

**1.2. History of Forensic Linguistics**

**1.3. Forensic Linguistics**

1.3.1. Written Language of the Law

1.3.2. Language Analysis as Evidence

1.3.3. Auditory Phonetics

1.3.4. Dialectology

1.3.5. Forensic Semantics

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**1.4. The Spoken Language of the Law**

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**1.5. Factors Influencing the Interrogations**

1.5.1. Individual Factors

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**1.1. Introduction**

This first chapter tackles the foundations of forensic linguistics and its history, outlines its main areas, and goes through the legal process, focusing on criminal suspect interrogations as it explores some of the factors that usually influence the course of these interrogations.

### **1.2. History of Forensic Linguistics**

The term forensic, etymologically, originates from the Latin word *forēns(is)*, meaning the relation to forum or public. Morphologically, it consists of the word *forum* that loses its final syllable when combined with a suffix of inflexion *-ensis-*, a Latin adjectival suffix used in modern scientific coinage meaning "originating in" or "pertaining to". The *forum* word itself means public place or public. In its most recent and highly specialised meaning, forensics is the branch of medical science related to applying medical facts to solve legal matters (Houtman and Suryati, 2018). Studying language as a human activity is scientifically called linguistics (De Saussure, 1916). When applied to a particular social setting, in this case, the legal forum, it is termed Forensic Linguistics. This reasonably new field hosts law-related issues where language is at issue. Over the past decades, it has become more precise and well defined within the forensic and academic communities. (Coulthard, 2010).

Is it the accused murderer's voice on the 1548 recording who is reporting the crime? What is the meaning of dying by accident; is a sudden child demise an accident? Is it a drug request if a teenager asks an undercover police officer, "what's poppin'?" ? Is there a difference when saying that someone is not guilty of committing genocide, just acts of genocide? (Lewis, 2001). Who is the author of that ransom note found next to that door? If an investigator asks a suspect, "... do you want to speak with us about your arrest?" is the suspect renouncing his right to remain silent by answering, "Yes, I would like to know why am I arrested?" These examples illustrate some concerns that forensic linguistics deal with: phonetics (1548 call), semantics (meaning of accident), pragmatics (intended meanings of "What's poppin'?" and genocide), stylistics (authorship of the ransom note) and discourse analysis (suspect's renouncement of his right). (McMenamin, 2002).

When tracing the history of forensic linguistics, it is crucial to highlight some Historical occasions in which the interest in language use in the legal context began:

In 70 BC, the trial of Gaius Verres, a Roman magistrate, took place for the numerous corruption crimes he had committed as the governor of Sicily from 73 to 71 BC. On August 5, Marcus Cicero, the prosecutor at the time, abandoned the tradition of giving a long opening speech complete with intricate arguments and a lengthy presentation of evidence, and opted for direct exposure of the evidence instead, which, accompanied by witness statements, led to Verres's voluntary exile. (Linder, 1995).

In 1170, Henry II, King of England, devastated by the misconduct of Thomas Beckett, the Archbishop of Canterbury and a dear friend, shouted, "Will no one rid me of this turbulent priest?" before the eyes of four of his knights, who, immediately took action and assassinated the Archbishop. (Daileader, 2020).

On January 1998, the 42nd US President, William Jefferson Clinton, stated that he "had never had sexual relations with Monica Lewinski" during his deposition in a sexual harassment lawsuit. Months later, he confessed to 'inappropriate intimate contact' with her during his grand jury testimony. However, Clinton argued that it did not constitute a sexual relationship in his understanding of the term. On December 1998, Clinton became the second American president to be impeached, following an agreement vote in the House of Representatives on whether he had lied under oath. (Linder, 2005).

On a closer inspection, the examples supra turn out to carry the substance of professional interest to the application of specialized linguistic knowledge in legal proceedings, which could help answer the following questions:

- Did the style of Cicero's speech influence the outcome of Verres's trial?
- Was Henry II guilty of incitement to murder?
- What is the meaning of "sexual relations"?

Questions about language use in legal and forensic contexts have long been asked and answered inside and outside law courts. Nevertheless, it is relatively recent that linguistic inquiry in legal and forensic settings has become a branch of AL in its own right. (Coulthard, 2010). Compared with other branches of AL, and considering its centrality of the language use to life in general and the law in particular, forensic linguistics is reasonably new. Unlike other, more theoretically oriented branches of AL, the nature of FL consists not so much in describing linguistic phenomena as in utilising language

description to address, control and examine relevant aspects of real-life dilemmas. (Derin *et al.*, 2019). The Swedish linguist Jan Svartvik was the first to coin the phrase forensic linguistics (FL). It became known with the publication of the Evans Statements: A Case for Forensic Linguistics in 1968, where he analysed the four statements that Timothy Evans, who was accused and executed for the assassination of his wife and baby daughter, allegedly said following his arrest. Serious questions about the authorship of these statements were rising after Svartvik demonstrated considerable stylistic disparities between them. Finally, he concluded that Timothy was lying about his confessions of strangling his wife and infant daughter in 1949, which led to clearing his name after more than a decade after his execution. Svartvik then proved how language could be forensic evidence, and how important it is to integrate linguistic knowledge in the solving of crime. (Svartvik, 1968).

Scholars from different countries initiated publishing papers involving the use of language in legal cases. However, they were not under any specific academic discipline involving speech and law before Svartvik conceptualized FL, and even after then. However, some studies done by discourse analyst Professor Malcolm Coulthard rose to defend the discipline. Thirty years later, due to seminars and conferences bringing it to the public eye, FL became an academic discipline. Germany's Federal Criminal Police Office hosted a two-day FL conference and successfully pioneered the phonetic-acoustic speaker identification Method. France organized its first FL conference three years later, then Britain in 1992. FL finally reached a high level on the international scale as an academically approved discipline when Australia held a biennial meeting in 1995. By the nineties, FL had established its academic organization, The International Association of Forensic Linguistics (IAFL), its journal: *The International Journal of Speech, Language and the Law*, and a growing number of books and articles. (Umiyati, 2020). Modules in FL, *Language as Evidence* and *Language and the Law* are taught to undergraduate and master's level students in a rapidly increasing number of universities worldwide.

Moreover, an increasing number of linguists are doing the work. As FL became well-structured and better defined, linguists became more involved in criminal and legal proceedings. (Johnson and Coulthard, 2010).

### **1.4. Forensic Linguistics**

One of the many recent and rapidly growing disciplines of modern AL, FL is an area of study that is developed based on real-life cases requiring linguistic knowledge in examining and solving legal matters. It is broadly defined as applying linguistic knowledge from theories to methods to any point at which language and law interface (Shuy, 2008). FL is also said to:

*Involve applying scientific knowledge to language in the context of criminal and civil law. Forensic linguists have an interest in understanding the language of the written law, its complexity and its origin, as well as the use of language in forensic procedures. They also study the judicial process from the point of arrest and through the interview, charge, trial and sentencing stages. For example, linguists are interested in the language of police interviews with witnesses and suspects and the language of lawyers and witnesses in cross-examination. (Ariani et al., 2014, 222 – 225).*

The field incorporates two main elements: the written language of the law and the spoken language of legal processes. FL areas are constantly developing as the field itself develops; its classifications usually follow existing classifications in the structure and function of the given language as a basis for cataloguing actual and potential subject areas (McMenamin, 2002).

### **1.1.3. Written Language of the Law**

Law is a culture of written language. In courtroom proceedings, the main parties, from judges, lawyers to suspects, typically use some legal language to communicate with each other. Even when members of the lay public are involved as parties, experts, or jurors, they will inevitably be confronted with legal language. From a linguistic perspective, everything revolving around the law is language; statements given by suspects, decisions made by the judge, interrogations and interviews, testimonials, suicide notes, ransom letters and legal documents. Nevertheless, this language needed to be analysed scientifically. Therefore, the science of FL examines the language used inside and outside the courts of law, as far as language use is concerned, aiming to help, detect and solve crimes, as well as contributing in the construction of fair trials. (Leonard, 2015).

### **1.3.2. Language Analysis as Evidence**

When resolving law cases, as mentioned before, language can be forensic evidence in the absence of DNA or in cases in which it is the major; if not, the only evidence found, or if the crime itself is a language crime(Shuy,1993). The field of law must rely on what is known about how language works to evaluate legal evidence, which happens to be in the form of language. With linguistic analysis, forensic linguists can extract linguistic evidence from a piece of written evidence or a recorded tape by identifying “quirky use of idioms, oddly-placed punctuation, vocal tics, and certain other idiolectal, dialectal and stylistic markers.” (Luu, 2017, P3), in order to detect and identify potential suspects of a crime. The typical types of linguistic evidence usually include:

### **1.3.3. Auditory Phonetics**

Also known as forensic phonetics, it is the study of language sounds based on what is heard and interpreted. (McMenamin, 2002). When it comes to solving crime, the application of this science contributes to determine whether the voice on a threatening tape recording or a police call was that of the suspect, relying on the analysis of their linguistics choices: vocabulary, collocations, pronunciation, spelling and grammar. This process is known as voice identification. In addition, the forensic phonetician produces accurate transcriptions of what was said, revealing details about the class characteristics of speakers, regional/ social accents, and age. As well as determining similarities between the speakers of two or more separate recordings. (Olsson, 2007).

### **1.3.4. Dialectology**

Dialectology is the scientific study of linguistic dialects based on geographic distributions and their associated features. Its contribution is to determine which dialect of a language a person is using, usually to show that a suspect has a different dialect from that on an incriminating recording; unlike voice identification, which examines the acoustic qualities of the voice, dialectology uses linguistic features to accomplish similar goals (Houtman and Surya, 2020).

### **1.3.5. Forensic Semantics**

The forensic semantics research area consists of interpreting language units, lexical ambiguity in legal language, and interpreting the meaning in spoken discourse, such as police interviews and jury instructions. (McMenamin, 2002).

### **1.3.6. Discourse Analysis and Pragmatics**

The main area of discourse and pragmatics are:

*Analysis of spoken and written language, the study of the discourse of specific contexts, such as dictation, conversations and hearings. The language of the courtroom, i.e., of lawyers, clients, questioning, and jury instructions, and language of specific speech acts, such as threats, promises and warnings. (McMenamin, 2002, p98).*

In addition to sign languages or any significant semiotic event. Cases like the Zodiac Killer prove the critical role of FL methods in decoding letters, mainly that the latter used to start his letters by writing "This is the Zodiac speaking," and contained several texts written in codes and cyphers. The letters were used to taunt police officers by indirectly hinting at his planned murders of 12 persons. Unfortunately, only 18 cyphers were decoded out of the total 408 cyphers sent by him from 1969 to 1974. One of the letters took more than five decades to decode. Even though the Zodiac's identity remains unknown, the analysis helped determine some significant leads in the case.(Kabra, 2022). These areas also aim to determine who introduced the topics on recorded tapes or whether a suspect agrees to engage in a criminal conspiracy or act.

### **1.3.7. Stylistics**

The focus of this discipline subjects both written and spoken materials to scientific analysis and examination, to determine and measure the given content from detecting plagiarism, to determining the authorship of questioned writing. Questioned authorship is identified in three ways:

-Assessing the similarities found in a particular piece of writing to other potential suspected authors.

- Comparing a particular piece of writing to known writing samples of many authors.

- Or determine whether a particular set of writings share the same author (McMenamin, 2002).

The analysed elements are various characteristics of a given text. Such as what the author used to average, the coma vs the full stop, superfluous punctuation, failure to use

any sentence separator punctuation, word length, the number of syllables, the use of articles or determiners (an, a, and the), their frequency, and type-token ratio. As well as the measure of lexical variety. Furthermore, punctuation in terms of overall density, syntactic boundaries, and the measurement of unique words in a text contribute to solving the task.

However, it generally contributes more to eliminating authors than pinpointing others with certainty (Chaski, 2005). One of the most well-known cases where stylistics played a significant part in solving crime was the Ted Kaczynski case, otherwise known as the Unabomber, FBI shorthand for "University and Airline Bomber". Kaczynski became famous for a series of bombings in 1978 and 1995, where he targeted scientific universities, airlines, and computer businesses for their contributions to the over-industrialisation of society and the destruction of nature. He then sent his infamous manifesto "Industrial Society and its Future", a text of 35,000 words to several publications ordering them to publish it. When they obeyed, a man named David Kaczynski read it and found it disturbingly familiar; the word choices and philosophy resembled those of his brother Theodore Kaczynski. In addition, David recognised some phrases that resembled Ted's writing, including a reversal of the common saying, "have your cake and eat it too", instead, Ted preferred to say, "eat your cake and have it too." These were unique enough to be instantly recognisable but were not the only linguistic indicators. (Luu, 2017). In order to build up a linguistic profile, James Fitzgerald, who was an FBI profiler at the time, pinpointed similarities between the Unabomber's writing and some of Ted's works and noticed the use of "analyse" for "analyze", "licence" for "license", "wilfully" instead of "willfully" and many other. He also identified a strange version of the common idiom "you cannot have your cake and eat it too"; both Kaczynski and the Unabomber inverted it into "you cannot eat your cake and have it too". Many similarities in writing style and use of expressions between Ted Kaczynski's known work and that of the Unabomber's manifesto were uncovered, eventually leading to his arrest. (Luu, 2017). Words, and how language is used, can reveal features of their speakers, intentions, and actions left rashly at the scene without being mindful. Although the results obtained after applying these various FL methods on given evidence are not as accurate as DNA results, when applied linguists' expertise explains the legal complications, FL proves beneficial to unveil the hidden information and lead to a fair verdict in legal cases. (Hazhar, 2021).



## **1.4. Spoken Language of the Law**

In this area, FL examines how language has been and continues to be used, who is using it, how they are speaking, why they are interacting in specific ways and what is being accomplished through these interactions. (Coulthard, 2010).

### **1.4.1. The Legal Process**

In criminal cases, the legal process includes everything from an initial call to the emergency services stage, to sentencing someone who has been found guilty. According to the Algerian justice system, investigating magistrate are typically the primary point of contact with the arrested suspects in most criminal reports, arrests, and interrogations. To process begins when the investigating magistrate interrogates someone suspected of committing a criminal offence. (Wiesen, 2023).

### **1.4.2. Interrogations**

Interrogating is the fundamental step to specify and identify the wrongdoing of criminal suspects. It is a process of questioning with significant psychological manipulation used by criminal investigators. Its main characteristic is that the suspect is under psychologically solid pressure from the interrogator to reveal the truth and confess (Ilijevski, 2018). Through time, police gradually began using psychological manipulation strategies to retrieve information from suspects (Leo, 1992). Fred Inbau, a law professor, pioneered these strategies as he sought to develop a form of scientific crime detection to gradually influence and take down the suspect's defences, convincing him/her that it would be in his/her best interests to confess. (Walsh et al., 2013). Interrogations consist of multiple strategies and techniques that graduate with each contact with the suspect; these techniques vary from simple questioning to extreme altercations. Even though many inks have been spilt on the ways of conducting interrogations, little highlighted the language units used during the questioning of the suspect; the linguistic features implemented in the questioning to retrieve information, which is what this research will be about. This research explores the language of investigation, therefore, the linguistic features found in the interrogative interactions of Algerian investigating magistrates with suspects, which they consciously or subconsciously use in their language. Every person interrogated by the police for a crime they have committed will find himself or herself in a very complex decision-

making process: Should I talk or remain silent? Tell the truth or lie? Will a confession help or harm my defence? This decision-making process, which begins even before the interrogation, is influenced by a variety of factors. (St-Yves, 2009). Many factors could influence the language used inside the interrogation room, which makes each interrogation different depending on many aspects.

### **1.5. Factors Influencing the Process of Interrogation**

Neither suspects nor investigating magistrates can afford to think that words mean what they say. The suspects' conditions have much to do with the meanings of the statements they provide and the structure of the questions asked. Several individual and criminal factors proved impactful when revealing information during police interrogations. (Yves and Varin, 2009).

#### **1.5.1. Individual Factors**

A number of individual factors have been found in relation to confessing during police interrogation that influenced the decision making process.

##### **1.5.1.1. Age**

Suspects under the age of 21 are more likely to reveal details about the crime more often than older suspects (Baldwin et al., 1980). The younger ones do not understand their rights as older suspects do, and thus, they are less likely to invoke them (Baldwin and McConville, 1980).

##### **1.5.1.2. Gender**

Several approaches to language and gender concluded that males and females belong to different sub-cultures, and therefore speak differently. According to the dominance approach, men dominate women linguistically, and women are linguistically powerless. (Lakoff, 1975). Moreover, in many cases, women appeared to be much more dubious than men to confess a crime (Inbau et al., 1977).

##### **1.5.1.3. Personality Profile**

Extroverts, such as antisocials, are less likely to collaborate and resist during police interrogation than introverts (Gudjonsson et al., 1991). Introvert personality profiles are likelier to experience remorse and guilt concerning their crime (St - Yves, 2004).

### **1.5.1.4 Criminal Background**

Suspects without prior criminal backgrounds are more inclined to confess their crimes than those arrested in the past (Neubauer et al., 1974). In addition, people more familiar with the police environment and interrogation techniques are more inclined to invoke their legal rights and, therefore, not to collaborate with the police. (Leo, 1996).

### **1.5.2. Criminal Factors**

Two criminal factors are found to be impactful in police interrogations: the nature and the seriousness of the crime.

#### **1.5.2.1. Nature of the Crime**

When comparing non-violent and violent crimes, the confession rate varies. For example, criminals who committed a non-violent crime are more likely to confess than those who committed a violent crime. It has been expected that the most challenging type of crime to confess to is a sexual crime (St - Yves et al., 2002). The negative perception of it is the main reason the criminal may face shame, rejection and humiliation.

#### **1.5.2.2. Seriousness of the Crime**

It is expected that the more serious the crime, the fewer suspects will reveal information and confess, because they fear the consequences; more severe crimes usually lead to heavier penalties. (St-Yves,2002).

## **1.6. Conclusion**

FL deal with law and linguistics as a subfield of AL and as an emerging sub-discipline of forensic science. It grew in the nineties, and since then, it has grown

into an academic discipline. Linguists have played significant roles in clarifying and discovering realities in courts. Forensic linguists use linguistic factors, including phonetics, phonology, semantics and pragmatics, to help judges and juries with better and more precise judgments. This field measures the language concerning crime and judicial procedures. For this purpose, when FL analyse the courtroom discourse, legal documents, authorship attribution and police interrogations, it serves as the interface between language, crime, and the law. Interrogations are the most critical part of the legal procedures since they contribute to drawing the path of the legal process. Investigating magistrates conducting the interrogations use different linguistic techniques to retrieve information from suspects, and a number of factors influences their linguistic choice. Therefore, the language used in these interrogations and the factors influencing the investigating magistrates during these interrogations is the focus of this research.

**Chapter Two**  
**Research Methodology,**  
**Data Collection and Analysis.**

**2.1. Introduction**

**2.2. Research Design**

**2.3. Target Population**

**2.4. Data Collection**

**2.5. Research Tools**

**2.5.1. Critical Discourse Analysis**

**2.5.2. The Interview**

**2.6. Data Analysis**

**2.7. Critical Discourse Analysis**

**2.8. The Interview Analysis**

**2.9. Conclusion**

## **2.1. Introduction**

This chapter focuses on methodology and describes the research design, the procedures of data collection and the research techniques employed to address the research questions. The objective is to gather reliable data from diverse sources and analyse it qualitatively. The research method selected in this study is corpus-based discourse analysis, which is appropriate for investigating language and discourse. Two research instruments were employed: critical discourse analysis was used to identify the linguistic techniques employed by Algerian investigating magistrates during suspect interrogations, and interviews were conducted to determine what factors influence their linguistic choice during suspect interrogation.

## **2.2 Research design**

The research design of a research work encompasses the methods and techniques chosen by the researcher to investigate a specific phenomenon and address the research questions. For this research paper, a qualitative method was deemed appropriate due to the nature of this study, which aims at analysing the language used during suspect interrogation by Algerian investigating magistrates. The data was collected through a critical discourse analysis of transcribed interrogations and interviews, and analysed qualitatively.

## **2.3. Target Population**

According the general introduction, many officials encounter the suspects. However, the most important one is the investigating magistrate, which our study focuses on. In the Algerian judicial system, the investigating magistrate (IM) is appointed by presidential decree to rule in public cases, in accordance with provisions of Article 39 of the Code of Criminal Procedure.

## **2.4. Data Collection**

The main objective behind data collection is to uncover information that reveals the mysteries and ambiguities surrounding a certain phenomenon and provides credible facts about it. For this study, the method fitting our research is the corpus-based discourse analysis, which provide a description of patterns demonstrated in a specific discourse. This

approach enables the researcher to identify the repetitive patterns in language, providing an in-depth description of typical patterns of discourse organisation and exploring the implicit meanings. This method was selected because this study aims to analyse language and identify linguistic patterns and how these linguistic patterns are used in different social settings. There are different types of data; the most commonly used are qualitative and quantitative. Quantitative data are set to be statistical and the approach is defined as an objective method of data analysis. This type of information is gathered using numbers and values, and it is often generated through, experiments, surveys, questionnaires, etc. The qualitative data are non-statistical and the approach is perceived as a subjective method, the data found are based on properties, identifiers and labels. This type of data can be accessed through texts, documents, interviews, observations, etc. In this research, only the qualitative method is utilised since it fits the subject matter.

### **2.5. Research Tools**

The selection of appropriate tools is one of the most critical steps in conducting any scientific investigation. For this research, we have carefully selected the tools that are found suitable for the obtainment of valid and reliable information. The selected tools are critical discourse analysis and an interview. As the former is used to examine and analyse transcribed interrogations conducted during criminal investigations, and the latter is conducted with Algerian IMs to gain insight into the factors influencing their linguistic choice during suspect interrogation.

#### **2.5.1. Critical Discourse Analysis**

Critical Discourse Analysis (CDA) is considered a qualitative method of analysis in social sciences (Widowson, 2007). CDA cannot be classified as a method of discourse analysis, rather, it is an approach or an attitude towards analysing a text critically. (Van Dijk et al, 2014). The term text can refer to written documents such as letters, books, journals. Yet, in the field of discourse and discourse analysis, it is interchangeably used with discourse. In this sense, the text is a language beyond the level of the sentence or utterance (Yule, 2010). However, in CDA, the text has a more complex meaning. It is considered multi-semiotic, that is, its construction requires a combination of many forms of representation, such as reports, songs, wedding vows, daily conversations and criminal confessions. (Wooffit, 2008). CDA elicits from a detailed linguistic analysis: it examines



“the structures of a piece of extended text, an analysis which focuses on the higher-level organization of that piece of text” (Mills, 2004, p.141). Furthermore, CDA extends its analytic focus to the explanation and interpretation of the analysis according to the context of the study (Trappes-Lomaxes, 2001). The goal of CDA is to reveal underlying ideologies, challenging particular biases from the linguistic features of a text (Paltridge, 2006). As such, CDA is a relevant tool for interpreting and explaining the language used by Algerian IMs during suspect interrogations in criminal investigations. The data collected for this investigation is qualitative, providing in-depth information on how language is used to influence and shape dialogue. Two transcribed interrogations will be analysed to identify the linguistic features employed by IMs when interrogating suspects.

### **2.5.2. Interview**

The objectives of the interview data collected in this study can be summarized as follows:

.To obtain understanding of the experience and expertise of Algerian IMs in conducting interrogation.

. To have an in-depth knowledge of the legal procedure followed during suspects' interrogation in Algeria.

.To identify and analyse the linguistic techniques employed by Algerian IMs during interrogations to elicit information from suspects.

.To explore the factors that influences their linguistic choice during the interrogation.

### **2.6. Data Analysis**

The data are analysed according to a qualitative method approach, which involves qualitative tools of analysis. After being translated from Arabic to English, the 361 utterances collected from Algerian IMs' questions asked during criminal investigation and the interview answers are analysed qualitatively. Qualitative analysis involves an in-depth examination of the data collected to identify patterns, themes, and insights. The analysis of the collected data in this research will be done through critical discourse analysis (CDA). CDA is used to explore how language is used to construct and maintain power relations

and social inequalities. It aims to uncover the hidden meanings and underlying ideologies of a text or discourse. The analysis process will initiate from transcribing the data collected from both the interrogations and the interview and analysing them from both French and Arabic to English, to getting familiar with the data and obtain maximum knowledge from its content and analyse it through identifying the linguistic features adopted ( grammatical structures, rhetorical devices, formulations..etc) by the Algerian IMs during the interrogations and the interview.

### **2.7. Critical Discourse Analysis**

The analysis is conducted on Algerian IM' transcribed questions during suspect interrogations, to be able to determine the linguistic features demonstrated in their speech. The corpus is translated from Arabic to English, and the analysis is done on the English utterances. Courtrooms and interrogation rooms communication language is used in a special way, known as ordinary language put to special use. Institutional participants as IMs are experts, whereas the lay participants as the suspects and the defendants are not, therefore, IMs are equipped to exploit the particular pragmatic uses that the language can be put to, making it the source of control. The corpus demonstrates different forms of questions as interrogative, tag and declarative which functions as a question, with questioning intonation (a rise at the end). As well as different objectives of questions: eliciting information and obtaining confirmation of a version of past events.

#### **The Linguistic Features:**

##### **A. Asymmetry**

Also known as inequality, it is the unbalanced distribution of knowledge and social in dialogues. It includes patterns of dominance such as the roles of speakers and listeners. Four types of dominance are found in asymmetries: qualitative, interactional, semantic and strategic. (Linell et al, 1991).**Figure 2.1** is an extract from an Algerian IM interrogation held during a homicide investigation, and we can see that the IM's role is to question and manage the interaction and the suspect is to respond, with little to no room to switch the topic or ask questions.

**IR:** You did not know this person before, is that correct.

**IE:** Yes. I have seen him twice in the neighbourhood and that is all about it.

**IR:** Why did you approach him in the first place?

**IE:** He, he...He was the one playing mind games with me so...; I had to check what was his intention.

**IR:** So you are saying that you initiated the conversation.

**IE:** Yes

### **Figure 2.1**

#### **Extract From a Homicide Investigation Interrogation**

This extract demonstrates semantic dominance because the IM is imposing interpretive perspectives on the things talked about during the interrogation.

#### **B. Repeating Questions**

Repetition in linguistics is the act of reproducing linguistic elements of a prior utterance for different purposes, mainly emphasis. Some IM questions were repeated, as shows in **Figure2.2**, which is taken from a transcribed interrogation of a burglary charge.

**IR:** You had the impression that he was going to attack you some day, that's why you attacked his house first, isn't it.

**IE:** I said he thought i had his money that he lost months ago doing god knows what so he was being a creep since and coming to my neighbourhood and making claims that am a coward.

**IR:** Why would he make such claims.

**IE:** because he is a foolish person.

**IR:** So his behaviour of calling you a coward in your neighbourhood gave you the impression that he was going to attack you someday

**IE:** Yes

## **Figure 2.2**

### **An Extract from a Burglary Charge Interrogation**

Repeating questions plays a major role in the organization of the interrogation, as **Figure 2.2** is demonstrating, repeating questions and elements of the suspect's story invites confirmation of the story that the suspect is telling. As it allows restarting of the narrative of the events when being frozen by the suspect.

#### **C. Formulation**

Formulating speech is a powerful tool when it comes to the construction of IM's version of the story being told. Through formulations, IMs provide a summary of the events for a better understanding of the suspect's previous discourse. Through reported speech, they preserve the suspect's utterances **Figure 2.2**, which draws attention to a specific event for the record.

#### **D. And – and So- Prefaced Questions**

Several IMs questions were initiated with **AND** and **SO**. The use of **SO**, as demonstrated in **Figure 2.3**, which is an extract from the same transcribed interrogation of the homicide investigation, is used to re-evaluate the suspect's previous discourse. Suspects tend to avoid extended talking that may incriminate them, and starting questions with **SO**, allows IMs to repeat what had been mentioned to develop a narrative that will serve as a piece of weighted evidence later on. As it pushes suspects to say more and either confirm or deny their first confessions.

**IR:** So he is the same person found with you the day of your arrest

**IE:** Yes

**IR:** Why didn't he participate in the stabbing according to you? Since he was the one instigating it.

**IE:** I do not think he was conscious at that time, as I told you we were under the influence of substances.

**IR:** So you are taking full responsibility for the act.

**IE:** Yes.

**IR:** When exactly did you consume substances that night?

**IE:** I am sure that R (the victim) is the reason why we were so wasted that night, which led me to stab him for doing so.

**IR:** So you are saying this is the sole reason that made you stab him

**IE:** Maybe, I do not remember at the time, but am sure he was bad.

### **Figure 2.3**

#### **Extract from a Homicide Interrogation**

This extract demonstrates how starting the questions with **SO** contributes to topic development, as well as challenging the suspect to either agree or disagree on what has been already said by them.

The use of **AND**, as demonstrated in **Figure 2.4** at the beginning of a question creates a sort of consistency of the evidence provided by the suspect, with minimal and implicit efforts. As it establishes culpability of the party involved, in which the IM is the one telling the story instead of the suspect. Moreover, it is central to the asymmetry existing between the two participants in the dialogue.

**IR:** And then you mention the acquaintance who was constantly instigating you to rage against the victim, what can you say about him.

**IE:** Nothing much, he just knew that the victim was a bad influence.

**IR:** I am not following; you kept refusing his friendship because he was younger than you were or because he was a bad influence?

**IE:** Both, he was insisting on creating a friendship and being among my group of friends.

**IR:** And this is how you reject someone else's friendship, by simply stabbing them.

**IE:** "silence"

### **Figure 2.4**

#### **Extract from a Homicide Interrogation**

##### **E. The Reporting of Speech**

###### **- Direct reporting:**

**IE:** I said he thought i had his money that he lost months ago doing god knows what so he was being a creep since and coming to my neighbourhood and making claims that am a coward.

###### **-Indirect reporting:**

**IR:** So his behaviour of calling you a coward in your neighbourhood gave you the impression that he was going to attack you someday.

In indirect speech, the speech of the reported speaker is not only reproduced but instead, the narrator's utterances and deictic orientation are summarized in which the reported speech becomes subordinate to the central reporting clause. Therefore, summarizing brings the capacity for the speech to be remote from its hypothesized speech. Furthermore, the shift from direct to indirect help increases the authenticity of the evidence provided by the suspect, since it is his/her own words.

## **2.8. The Interview Analysis**

The researcher designed a series of questions in English then it was sent to the supervisor. After his correction and confirmation. It was translated into Arabic by the researcher and it was also again sent to the supervisor. A pilot study was conducted with a

prosecutor to confirm the validity of the questions and due to his feedback, some changes were made. It was sent to the supervisor again and we agreed on the final draft. The interview was conducted on February 11, 2023, it usually took between one to two hours, and it was written as the interviewees chose to write their answers directly even though they were asked to be recorded. The IMs were interviewed mainly to identify the factors that influence their linguistic choices during suspect interrogations.

\* Do you get a confession from the first interaction with the suspects?

- To confirm that the IM is the first to encounter the suspects.

\*What are the strategies/techniques you use to obtain information from suspects?

-Uncover the techniques used by IMs to obtain information from suspects.

\* Are the characteristics of the suspect (age, gender.. etc.) taken into consideration during the interrogation?

- Determine the factors that influence their interrogation and therefore their linguistic choice.

### **2.9. Conclusion**

This chapter places its emphasis on the research design of the study. It first presents a description of the target population, which are Algerian investigating magistrates. Then describes the research method, the qualitative method, which seems to be the most appropriate method for the nature of such research topics. To assess the validity of the hypotheses advanced in the general introduction, a critical discourse analysis along with an interview are adopted, and the data collected from both of them is analysed qualitatively. The results obtained provide valuable insights into the linguistic technics used by Algerian IMs during suspect interrogation, and what factor influence their linguistic choice during the interrogation. Accordingly, the coming chapter will be devoted to provide a summary of the main results obtained, as well as the limitations faced in the study , along with some recommendations .





**Chapter Three**

**Discussion of Results and**

**Recommendations**

**3.1. Introduction**

**3.2. Discussion of the Research Findings**

**3.3. Limitations of the study**

**3.4. Discussion of the Results and Recommendations**

**3.5. Conclusion**

**3.1. Introduction**

The previous chapter was dedicated to the analysis of the data collected from the critical discourse analysis of investigating magistrates' transcribed interrogations and the interview. The current chapter is devoted to the discussion of the main results and advance some of the limitations faced in this study, as well as some recommendations.

### **3.2. Discussion of the Research Findings**

The purpose of this study was to identify the linguistic techniques employed by Algerian investigating magistrates during criminal interrogations. The first hypothesis, which postulated the use of Conversation Management as a crucial feature in investigative interviewing, was confirmed by the study's findings. The use of critical discourse analysis yielded reliable data, revealing that repeating, formulating, and reporting were essential in the process of constructing facts during criminal interrogations. These techniques elicited significant moments that produced a version of how events occurred; allowing the investigating magistrates to apply their institutional authority to confirm what the suspects were saying. Furthermore, the study found that **AND** and **SO**-prefaced questions were critical in maintaining the consistency of the events and the semantic asymmetry between the two participants. The use of reported speech in interrogation served to produce authoritative evidence and create powerful evidence. The aim of interviewing Algerian IMs was to determine the factors that influence their linguistic choice during suspect interrogation. The results found are not compatible with the hypothesis that was made, which stated that gender is the determiner of the IMs' linguistic choice with suspects. Part of the hypothesis is correct; one of the IMs considered gender during the interrogation in which he avoided repeating the same questions and relied on simple yes or no questions. However, suspects without prior criminal backgrounds are more inclined to confess their crimes than those arrested in the past, which turns to have a major role in determining the IMs linguistic choice.

### **3.3. Limitations of the Study**

This study has potential limitations. Due to the sensitivity of the subject, data access was limited, an attempt for an observation inside the interrogation room was planned to gain a raw insight on the linguistic choices employed by Algerian IMs, but it was rejected due to confidentiality matters, which limited the researcher to qualitative data only. Furthermore, there were no previous studies about the linguistic features employed

in dialogues in the Algerian legal context, which made it challenging for the researcher to collect previous data to tackle the research from a narrower angle.

### **3.4. Recommendations**

The main concerns of this research was to uncover the linguistic techniques employed by Algerian IMs during suspect interrogations, and the factors influencing their linguistic choice. The investigation revealed that repeating, formulating, and reporting are of significant importance in fact- making process during the interrogations, as well as the factors that had an impact were both gender and the criminal background of the suspects. This research tackled the language in the Algerian legal context generally and criminal specifically. On this basis, future research should examine the language used inside the courtroom in which the interactions between the participants such as judge-lawyer, interaction, lawyer-witness...etc are analysed to obtain an in depth insight on how language is exploited in such sensitive context like the courtroom, in which individuals' lives are on stakes because of and through words.

### **3.5. Conclusion**

This chapter has tackled a summary of the main findings obtained from the study, as well as some suggestions and recommendations on tackling the language used inside Algerian courtrooms and analyse their interactions.

# **General Conclusion**

## General Conclusion

The field of law relies heavily on language as a cultural tool, with language being utilised in various ways to manage, manipulate, and ultimately judge situations based on confessions and witness testimony. This research focuses on the language used by Algerian investigating magistrates during interrogations, seeking to uncover the linguistic techniques employed and the factors that influence their linguistic choice. The study comprises three chapters, with the first providing an overview of relevant disciplines, such as Forensic Linguistics and the legal process, to aid the reader in the comprehension of the study. The second chapter focuses on the practical aspect of the research, including the methodology, sampling, research instruments, and data analysis. The final chapter discusses the main findings encountered during the study, and recommendations. The study confirms the hypothesis that Algerian investigating magistrates use Conversational Management during suspect interrogations, employing repeating, reporting, and Formulating techniques in their fact-making process, along with **And** and **So** prefaced questions. However, the data did not support the hypothesis that gender is the main factor influencing their linguistic choice, with the criminal background being the primary determinant. The researcher encountered some obstacles during the investigation, including limited information on linguistic techniques in the legal context and difficulties in collecting data due to confidentiality. Despite these limitations, the study provides a basis for further research in the field. In conclusion, the study highlights the crucial role of language in the legal context, as it is carefully employed to manage interactions with criminal suspects, maintain control, and extract information.

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# Appendix

## **Interview Questions :**

\*Since when have you been working as investigating magistrate?

\* How many cases have you worked on so far?

\* What happens to the suspects right after their arrest?

\* Are you the one who interrogates them? Or is there someone in charge for the interrogations?

\* How long do these interrogations usually last?

\* Do you get a confession from the first interaction with the suspects?

\*What are the strategies / techniques you implement in order to obtain a confession from suspects?

\* Are the characteristics of the suspect taken into consideration during the interrogation?

If yes, what is the main characteristic that influence your linguistic choice inside the interrogation room during suspect interrogation?

# Summary

### **Abstrait**

Le monde juridique est riche en contexte, il est peuplé d'une mini-nation hiérarchique de juges, d'avocats, de policiers et de juges d'instruction, ainsi que d'hommes et femmes ordinaires de différentes couches de la société qui rencontrent ce monde particulier. Ses textes sont riches en sens ; sa grammaire et son lexique distinctif sont évolués au cours des siècles en raison d'une histoire d'utilisation spécialisée. Cette recherche est une approche d'analyse du langage utilisé dans un tel contexte, visant à découvrir les techniques linguistiques utilisées par les juges d'instruction algériens pendant l'interrogation des suspects lors des investigations criminelles. Ainsi que les facteurs influençant leur choix linguistique. Les données ont révélé que le juge d'instruction algérien s'appuie sur la répétition, le rapport du discours et la reformulation des phrases lors de son interrogatoire, ainsi que sur des questions préfacées, pour éliciter l'information. Le casier judiciaire du suspect s'avère être le principal déterminant de son choix linguistique.

### ملخص

يتكون عالم الحقوق من مجموعة اشخاص يخضعون الى نظام سلمي يتكون من قضاة ومحامين وضباط شرطة وقضاة تحقيق متخصصين في البحث الاجرامي، ومن اشخاص عاديين منهم رجال ونساء يكونون هذا العالم الخاص الذي يتميز عن الباقي بالمصطلحات والتعابير حسب كل واقعة. وتطورت هذه المصطلحات عبر التاريخ وأصبح التخصص في هذا الميدان امر مهم، لأنه يتعلق بحقوق الأشخاص وحريتهم. هذا البحث هو مقارنة تحليلية للغة المستعملة في هذا الميدان والتي تحاول الكشف عن التقنيات اللغوية المستعملة من طرف قضاة التحقيق الجزائريين خلال استجواب المشتبه فيهم اثناء البحث الجنائي، والمواصفات التي تتحكم في اختيار لغة المباحثة، حيث كشفت المعطيات ان قاضي التحقيق الجزائري يعتمد على تكرار الأسئلة بأشكال مختلفة اثناء البحث الجنائي من اجل الوصول الى مواجهة المشتبه فيهم للأدلة وان صحيفة السوابق القضائية تساعد القاضي التحقيق على معرفة المشتبه فيه مما يؤدي الى تحديد اختياره اللغوي.