# Book reviews

Gerald R. McMenamin (1994) *Forensic Stylistics: A Workbook*, published by the author, Department of Linguistics, California State University, Fresno. 84 pp. A4. (not professionally published yet). For use in conjunction with Gerald McMenamin (1993) *Forensic Stylistics*, Amsterdam: Elsevier.
(NB: Title submitted for review on the basis that it is a draft version.)

Workbooks usually have two main aims. First, they provide an opportunity to practise certain technical skills, often in a format which would not be suitable for a mainstream theoretical publication. Second, and just as important, they provide this practice as a means of deepening understanding of the theory which underlies the technical skills.

The criteria for evaluation used here will thus be the degree to which the exercises are likely to suit the target readership and the degree to which the underlying theory is illuminated. This implies that the underlying theory is clearly established elsewhere, in this case in the accompanying textbook. Readers of the review of *Forensic Stylistics* (Goutsos, this issue p. 105) will already have noted grounds for reservation on this point, and some of what follows here tends to the same view.

The book is, I take it, intended for tertiary level students of Language or Law. In principle, it might also be of interest to qualified professionals such as police officers or even judges. There are five parts. Part 1 is an introductory section explaining the author's view of what stylistics is, and is in effect a brief summary of some of the main points covered in the textbook. It is accompanied by some very simple exercises which aim to establish concepts such as 'variability' and 'style'. The remaining four parts consist almost solely of exercises, with the barest minimum of text. The exercises aim to enable the user to recognize and compare linguistic features in known and questioned texts and they show a progression in which the author adopts the well-tried strategy of proceeding from the familiar to the unfamiliar. Thus we move from spelling errors in public notices (Part 2), to typical features of 'Black English' (Part 3) to significant features of an actual confession letter (Part 5).


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There is no author commentary on, or answer sheet for, the exercises. Whether this is because the author thinks that the answers are self-evident, or whether it is because he sees the process of engagement as more important than the 'solution', is hard to say. In some cases, it is probable that a groupwork approach will promote an interesting debate. But this would be very unpredictable, and some discussion by the author would at least serve as a reference point for students or tutors. A number of my worries about the book stem from this basic omission, but it may be that a commentary is intended for the final version.

It is also possible that my views are influenced by the fact that the cultural and legal frame of reference is unblinkingly North American. Initially I assumed this would not matter since most non-US readers who might fall within the target readership would easily be able to handle the early exercises. In Part 1, for example, the concept of variability is illustrated by a page of 22 hats. Their 'invariant feature' is that they all have brims. Their 'variable features' are colour, shape of brim, ornamentation and so on. This exercise in discrimination is repeated with pictures of cups (invariant feature : handles), babies (variant feature : skin colour), and front doors (handles again). An eleven-year-old with whom I studied these seemed to find them well within her compass. We then moved on to a page of lips. Here we definitely felt in need of authorial comment since the only invariant feature we could find in the lips themselves was that they were all lips – the fact that some were smiling, some pouting etc. seemed not to be an inherent quality of the lips. Eventually it dawned on me that this was probably the point: lip prints are of course unique to their owner. Readers are even invited to imprint their lips in a specially prepared space on page 15, presumably to demonstrate the point. The idea that the book might be of interest to police officers or judges began to lose force at this point.

It does, though, tie in with McMenamin's unswerving faith in the linguistic 'fingerprint' (or 'lip print'?) as expressed in his claim in the textbook: 'Author-specific linguistic patterns are present in unique combination in the style of every writer' (McMenamin 1993: 3).

Given this stance, the device with the hats, babies, stamps, front doors and lips does work, albeit slowly. In other words, practice is supporting theory. But I am sceptical whether the approach here is appropriate to the target readership. An additional oddity for UK readers is that each pair of lips is given a label such as 'Tenessee Taster' or 'Gorgeous Glamour Puss'. One pair has a bar-code attached, and some are overprinted with messages such as 'Spree in Paree: the Biennale'. Whether these labels are original to the lips, and thus to be interpreted as 'variable features', or whether they are mere decor designed to humour users of the workbook, is uncertain. If the latter, the attempt would almost certainly misfire badly in a UK academic context.

In Part 2 the focus is on recognizing 'basic style-markers', using photographs of street signs as data. A preliminary note tells us that two of the photographs 'contain features related to document examination, not

stylistics, but they were too good to pass up'. In Part 1 (p. 8), the author asks rhetorically: 'Is stylistics a part of document examination?' His answer to this reads as follows:

> 'Analysis of stylistic characteristics of language was proposed by Albert S. Osborn as early as 1910. The history of attention to style in document examination can be found in all of Osborn's work and in various other works that have served to establish the field of document examination.'

Feeling that this did not clarify the distinction between document examination and stylistics as well as it might, I hoped that the two exceptional photographs would leap out from the mass to set me straight. Alas! – no amount of searching through the forty-one photographs convinced me that I was any the wiser. Most feature typographical errors of spelling, spacing and so on, but several signs are so obscure to a British reader that it is impossible to know what the author intends us to notice. However, even I can understand: 'THE POIFECT WAY TO GET TO NEW YAWK', which is indeed quite amusing. McMenamin does not comment on the fact that this is a conscious distortion of the orthographic code designed to represent an unconscious variant in pronunciation. This makes it rather different from what forensic stylistics mostly concerns itself with, which is unconscious marking, but is perhaps related to the tricky issue of deliberate disguising of style. Again, I do not know if I have noticed what I was intended to notice.

There are two main activities in Part 3. The first concerns the eccentric punctuation used by one of the subjects from the textbook (see Goutsos' comments on the Brown case). The exercise requires us to classify features like multiple exclamation-marks. Now it is clearly not the case that there is one group of people who repeat their exclamation marks twenty-two times, and a further group who do it twenty times. Such numbers of repetition can safely be treated as occurrences of the same general feature, and probably indicative of identity of authorship. It may well be true that quite a lot of people use double or triple exclamation marks occasionally; but not many people do this every few lines. So what numbers of repetition, and what frequency of occurrence in a text would we wish to consider significant? This seems to be an interesting forensic issue, and if this is what McMenamin is directing our attention to, that is fine. But I am not sure that he is. Once again, a workbook needs a more explicit statement or commentary by the author on the issues raised by the exercises.

Nowhere is this more obvious than in the exercises on Black English (Part 3). McMenamin picks out examples of what he says are identifying characteristics of Black English. I give only a few examples here:

- non-standard use of present for past ('so I got mad and *try* to burn his store'),

- use of *done* for did ('I am sorry for what I *done*')
- absence of auxiliary *have* ('he already been punish enouff')

These are listed next to the text (a letter) in which they occur, with a line number showing exactly where they occur (these are not all accurate and need checking). The workbook user has the very simple task of noting the line number, and then circling the example in the text. No actual linguistic judgement is required. The user does not have to search the text for identifying characteristics, does not have to decide whether a particular instance is or is not identifying, does not have to debate the relative significance of different features. The process appears to be entirely mechanical. This raises questions about the degree of linguistic awareness McMenamin assumes for users of this book. I suggest that even the most unaware could have more demanded of them than simply finding a line number in a text.

But there is a more serious point. It may be that in the US one can attribute some texts with near certainty to a person from a particular racial background, given sufficient sociolinguistic experience and training. I would find that surprising, but would be just willing to believe it of some texts in some circumstances. However, I sincerely trust that the author does not assume that these exercises constitute sufficient experience or training for making such attributions. He notes that sociolinguists have described features of a spoken variant they call Black English Vernacular. So, if one finds a text containing a number of features which seem to be written equivalents of BEV, does it follow that the author is black? Of course it does not. Cardinals wear distinctive clothing, including a red hat. Fred is wearing a red hat. But Fred is not necessarily a Cardinal, not even if dressed in full regalia.

In *Forensic Stylistics* McMenamin reports on *Colorado* v. *Johnson* (1989), in which Johnson, a store-owner, who had been sent to prison for burning down his store, sought a new trial or a lighter sentence on the grounds that an anonymous confession letter had been received, which he claimed exonerated him. Although the *Workbook* does not say so, it seems quite likely that the letter featured in the exercise on Black English is in fact the one from *Colorado* v. *Johnson*. It is thus very interesting to see how it was used in court, and relate that to what users of the *Workbook* are asked to do with it. McMenamin says: 'Extensive testimony was given demonstrating that the letter was written in Black English, and that the writing style of the letter was significantly different from that of Johnson, who is white' (1993: 104). The inference we are presumably intended to draw is that the letter could not have emanated from a white person, and thus could not have been a devious ploy by Johnson himself to point the blame elsewhere. Therefore, and this is the amazing thing, the letter must be a true confession by an unknown black person and Johnson's conviction must be in doubt. The District Judge is reported to have observed: 'It would be reasonable to conclude the letters were written by someone familiar with Black English.'

Just why that should make the confession true is not explained. The evidence was technically inadmissible and Johnson was therefore not acquitted; but he had his prison term quashed and was put on probation, which suggests that the court accepted, unofficially, that the anonymous letter was indeed by a black person, and, more significantly, that the contents of the letter were truthful. Reading the letter in the *Workbook*, at a great distance, I find it plausible enough, but I can also easily imagine that it is a fraud. The idea that Johnson might have got a black person to write the letter, or that a black person made a false confession for reasons unknown, or that a white person with sufficient awareness of features of BEV (a sociolinguist for example) wrote the letter, do not appear to have been considered at all. It can of course be argued that such possibilities are beyond the scope of responsibility of the forensic linguist, whose sole job it is to comment on the language of the letter, leaving alternative explanations of its linguistic nature for the court to explore. But one only has to ponder what would have happened in this case had the ethnic roles been reversed to see that it is not as simple as that. If Johnson had been black, and if the confession letter had been in non-Black Colorado English, does anyone suppose that the court would have been so easily persuaded to reduce Johnson's sentence, or even that a forensic linguist would have been summoned to give evidence?

I dwell on this issue because a workbook is a pedagogic tool with responsibilities. If exercises on identifying features of Black English are to be presented, they must be contextualized, commented on appropriately and, above all, cautious, or the wrong impression could easily be given. Trainees, one feels, should be given the chance to exercise their judgement on whether, and how securely, a text points to racial background. Some informal questioning of students in the UK suggests that these exercises would have little credibility here. Needless to say, the training of forensic specialists in identifying features of language variation, whether sociolectal, ethnic, non-native or whatever, remains an important task. This training would involve a proper understanding of linguistic variation, and a lot of exposure to a wide range of material. I do not doubt that the author himself has the experience, but the exercises on offer here do scant justice to it at present.

Part 4 is entitled 'Recognizing style markers in questioned and known writings'. It consists of a number of examples of concordanced features from parallel questioned and known texts. There are no instructions at all as to what one is supposed to do with these examples other than notice them. In some cases the questioned and known features seem to be rather similar, suggesting identity of authorship. In other cases they appear different, suggesting the opposite perhaps. But without any further background information or authorial guidance, it is hard to know what to make of the data. One example clearly comes from one of the letters which was used in Part 3, and here one can see the apparently unusual preposition choice

'revenge *of*' cropping up in a known and a questioned text. But what significance, if any, we can or should attach to it is not spelt out. It needs to be.

Finally, Part 5 consists of a similar procedure except that it is all to do with one case. We are given a questioned text and a number of concordanced items from a selection of undisputed texts by the alleged author of the disputed one. The task is to find, in the questioned text, examples like each concordanced item, cut them out and stick them into a space above the concordance. For example, there is a concordance of thirteen lines of the item 'this letter', all of them taken, one assumes, from letters. The questioned text, which is a letter, also contains the item 'this letter' in the sentence: 'I have written this letter more times than I care to remember', and again in: 'Hence this letter'. So one cuts these out and sticks them above the thirteen known examples, and one does this for a whole range of items. Nobody would be much impressed by the fact of a letter-writer referring to their own letter as 'this letter' – a common enough thing to do one might think. There is one match between questioned and known texts with the phrase 'Hence this letter' – again, not very impressive, but clearly more unusual than simply 'this letter'. There are eighty-four instances in the known texts of 'some-' words being spelt without the 'e', for example 'sombody', 'somthing' etc. We are not told how often the author puts in the 'e'. In the questioned text, there appears to be just one example of such a word, that is, 'somebodys' and it is spelt correctly with the 'e' (though the apostrophe was omitted). Important or not? We are not told. Unlike the earlier very mechanical exercises, this one does require users to read the text thoroughly to find examples, albeit examples they have been told to find. But again no hints are provided on how to evaluate their significance.

Forensic linguistics is a rapidly growing field with a need for meticulous training, so a workbook of this kind is a good idea. Some of these exercises, if expanded and accompanied by proper instructions and comment, could serve as introductory exposure to certain techniques. At present, however, the level of analysis required is really too low for university students of linguistics, and probably too low for law students as well, let alone more experienced professionals. With a more analytical approach and a much wider selection of texts, a book of this kind should interest a specialized but important readership. The fact that cultural specificity may limit its usefulness outside the US, is perhaps inherent in the enterprise – a similar book produced in the UK would doubtless not travel the other way either.

## Reference

McMenamin, Gerald R. (1993) *Forensic Stylistics* Amsterdam: Elsevier.

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