Finegan, Edward

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Abstract

Edward Finegan is Emeritus Professor of Linguistics and Law at the University of Southern California, USA and is highly regarded for his contributions to forensic linguistics and language and law and consulting in hundreds of cases. His research interests and wide range of publications cover the areas of language variation and change, sociolinguistics, discourse analysis, and corpus linguistics. Finegan has also published widely in forensic linguistics and language and law with a focus on topics like ethics, consultancy, expert witnesses and linguistic prescriptivism.

Edward Finegan (1940 -) is highly regarded for his contributions to forensic linguistics and language and law and consulting in hundreds of cases. He is also well known for his wider work in sociolinguistics, most notably through books such as *Language: Its Structure and Use* (7th edition, 2014) and *Sociolinguistic Perspectives on Register* with Douglas Biber (Biber & Finegan, 1994). His research interests and wide range of publications cover the areas of language variation and change, sociolinguistics, discourse analysis, and corpus linguistics. Finegan has also published widely in forensic linguistics and language and law with a focus on topics like ethics, consultancy, expert witnesses and linguistic prescriptivism. Publications in these areas include influential articles such as "Expert linguists and the whole truth" (2010) and "Variation in Linguists' Analyses of Author Identification" (1990). He served as president of the International Association for Forensic and Legal Linguistics from 2013 to 2015 and is Emeritus Professor of Linguistics and Law at the University of Southern California, USA.

After obtaining his PhD in 1968 from Ohio University, Finegan joined the staff at the University of Southern California. He subsequently completed postdoctoral studies at New York University, Ohio State University and Harvard Law School and has taught various topics including English linguistics, forensic linguistics and language and law. Finegan is the founding chair of the Linguistics Department at the University of Southern California and was appointed Professor of Linguistics and Law in 1996. In his article "My Thwarted Start as a Forensic Linguist", Finegan (2020) explains that his start within forensic linguistics was more of a coincidence and due to his interest in language and law: He wanted to establish teaching in language and law and when his department was asked for a linguistics expert for a court case,

he was the obvious choice. Although the field of forensic linguistics had yet to become well established, this marked the beginning of his consultancy work. Some of Finegan's work includes high-profile defamation cases with litigants such as Tom Cruise, Aretha Franklin or Martha Stewart and trademark disputes with litigants such as Bayer, Delta Airlines and The Lego Group.

Besides casework, one of Finegan's main contributions to forensic linguistics is his continued effort towards ethics and expert witnesses. He raises important questions of morality in an adversarial judicial system, such as that of the United States of America. In his article "Ethical Considerations for Expert Witnesses in Forensic Linguistics", Finegan (1993) details the process of being approached as an expert witness and the potential bias that might be introduced by only knowing one side of the story: It is customary in the US legal system to be hired by either side, but not by the judge in the case. But as Finegan (1993) elaborates, the main duty of an expert witness is to the court and not to the side paying for the report and testimony. He continues by saying that an expert witness should only comment on their area of expertise, such as linguistics, but not on the case itself, as this is the realm of the judge or jury. In a (2010) article, Finegan advances these ideas by writing about the ethical obligations of expert witnesses to contribute the "whole linguistic truth" to the case, not just what the party that hired them has asked for. The obligation of the expert linguist should be to the science and to the court in the case, similar to what happens in civil law systems (cf. Ehrhardt, 2021). Both of his articles conclude in advice for casework. Similar advice can also be drawn from Finegan's article (1990) on authorship analysis in which he reports on issues like sample size, linguistic feature selection and direction of comparison, which remain crucial in authorship analysis to this day. He also hopes that the expectation of rebuttal from a fellow linguist, who is hired by the other side, will contribute to better expert reports.

Another area of interest in which Finegan has published actively is discourses of language and law. In a book chapter on legal writing, Finegan and Lee (2021) provide a corpus-based approach to the writings of US federal and state supreme courts. They conclude that the analysis of language is not only important in order to understand the realm of legal writing itself, but also for legal education as decisions and opinions by courts are the main material that (US) law students will consult during their studies and any attitude conveyed may thus influence education. Further, Finegan's work (2003) on linguistic prescriptivism in legal usage links back to his wider work in sociolinguistics and corpus linguistics. In his article, he reminds not only law students, but also linguists, that there are instances when academics prescribe rather than describe, for instance in *The American Heritage Dictionary of the English Language* (cf. Finegan, 2019). However, he also establishes that sometimes prescriptivism, such as advice on avoiding sexist language, is preferable and a question of morale (Finegan, 2003).

Finegan remains an active part of the linguistics community. He is currently the President of the Dictionary Society of North America and publishes on topics like corpus linguistics and the balance between prescriptivism and descriptivism. His work, such as the co-authored book *Language in the USA: themes for the twenty-first century*, remains influential and is a guide to students and teachers alike (Finegan & Rickford, 2004). His book *Language: Its Structure and Use* is not only relevant in sociolinguists, but provides a reference manual for work in forensic linguistics (2014). Finegan's (1997) book chapter *Sociolinguistics and the Law* offers an introduction to the field and comments on topics like reliability of forensic transcripts and bilingualism in court and is a valuable resource for anyone joining the field. Especially relevant for case work and consultancy in forensic linguistics are Finegan's articles on ethical matters, which also provide recommendations for ethical conduct (1990, 1993, 2010).

Cross-References

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Contributor Bio

Dana is a PhD student in Applied Linguistics at the University of Birmingham. They hold a BA in Finnish/Scandinavian & English Studies from the University of Cologne, an MA in Linguistics from the University of Duesseldorf and an MA in Social Research from the University of Birmingham. Their research interests are in forensic linguistics and language and law. More specifically, they are interested in authorship, statutory interpretation and sociolinguistics. They currently serve as Member-At-Large for the Executive Committee of the International Association for Forensic and Legal Linguistics (2021 – 2025).