

FĂRCAȘIU MARCELA ALINA. 2015. *Language in the Courtroom: A Comparative Study of American and Romanian Criminal Trials*. Cluj-Napoca: Casa Cărții de Știință. ISBN 978-606-17-0672-3, pp. 302.

Book review

Simona ȘIMON*

The cultural similitudes and differences among peoples have been studied and documented by a large number of scholars (Fărcașiu, 2020; Hall, 1966; Hall, 1976; Hall and Hall, 1990; Hofstede, 1980; Hofstede, 2011; Hofstede, Hofstede and Minkov, 2010; Patterson, 1983; Stoian and Șimon, 2017; Șimon and Suci, 2015; Trompenaars and Hampden-Turner, 1998). Curiously, however, only a few studies focus on the cultural diversity as regards the verbal and non-verbal communication styles in the workplace, of particular interest being the intercultural and cross-cultural communication in business settings (Chaney and Martin, 2007; Lüdi, Höchle Meier and Yanaprasart, 2016; Wing Sue, 2005; Wing Sue, Rasheed and Matthews Rasheed, 2015). Verbal and non-verbal communication styles in the courtroom are even less accounted for, especially in Romania, but also in English-speaking countries (Atkinson and Drew, 1979; Cozma, 2010; Danet, 1980; Dimiu, 1930; Fărcașiu, 2006; Fărcașiu, 2007; Jumanca, 2018; Maley, 1994; Maley and Fahey, 1991; Martinovski, 2001; Mihai, 1982; Svongoro, Mutangadura, Gonzo and Mavunga, 2012). In this context, *Language in the Courtroom: A Comparative Study of American and Romanian Criminal Trials* by Marcela Alina Fărcașiu is unique on the market as it brings insights into the American, adversarial system of justice and the Romanian, inquisitorial one. Nevertheless, the book does not present an exhaustive comparison between the two but pays attention to “the speech event known as witness examination, occurring in the

* Associate Professor, Department of Communication and Foreign Languages, Faculty of Communication Sciences, Politehnica University of Timișoara, Romania. E-mail: simona.simon@upt.ro

courtroom” (Fărcașiu, 2015: 9). This speech event is part of a speech situation that, in this case, is the criminal trial which takes place in a context that also contributes to the completion of the communication process. As such, the study carried out by Marcela Alina Fărcașiu in the book analyses both the ethnography of the courtroom and the “question-answer adjacency pairs from formal, functional and positional points of view in the two systems of justice” (Fărcașiu, 2015: 9).

The book opens with an introductory chapter that explains the entire research approach and the organisation of the book. The following five chapters revolve around the following topics: ethnography of the courtroom, language of the law as well as language used in the courtroom, description of the research methodology, question and answer typology as well as conversational strategies employed in the courtroom. The book ends with the conclusions drawn by the authoress after carrying out the entire research on the American and Romanian systems of justice. Furthermore, the bibliography and the two annexes containing excerpts from the American and Romanian trials making up the corpus point to the thoroughness of the research conducted by Marcela Alina Fărcașiu.

Chapter 2, *Ethnography of the Courtroom*, draws a comparison between the American and the Romanian systems of justice as well as between the adversarial and the inquisitorial criminal trials. The two courtrooms are then presented both verbally and visually. Particular attention is paid to “the symbolism of the entrances and of the seating arrangements of all the participants in terms of the power they exert, as well as the symbolism of the court attire” (Fărcașiu, 2015:233-234).

Chapter 3, *Literature Review/Theoretical Framework*, defines the field of the language of the law and its sub-field language in the courtroom. Furthermore, since there are American and Romanian studies approaching the language of the law and that in the courtroom, respectively, from a variety of angles, for instance the linguistic, stylistic, sociolinguistic, pragmatic and cultural ones, the authoress has considered that they are worth being presented, highlighting the scarcity of Romanian studies in the field.

In chapter 4, the research methodology is presented. Thus, the research methods provided by the ethnography of speaking and conversation analysis are described as well as the American and Romanian corpora; 100 pages of transcripts of criminal trials build each of the two corpora. Some difficulties and challenges in gathering the Romanian corpus and the system of symbols used to transcribe it are presented in detail.

The description of the extra-textual factors influencing the discourse produced in the courtroom, the presentation of the legal terminology and of the research methodology, i.e. the topics approached in chapters 2, 3 and 4, create the framework within which the analysis of “the speech event known as witness examination” (Fărcașiu, 2015: 9) taking place in the American and Romanian courtrooms is carried out. Hence, chapters 5 and 6, *Questions and Answers in the Courtroom* and *Features and Patterns in the Courtroom*, focus on the structuralist, semantic, pragmatic and

discoursal analysis of the questions and answers recorded during the criminal trials making up the two corpora. Some interesting similitudes and differences between the American and the Romanian question-and-answer patterns used in the courtroom are discussed, pointing to the importance of such comparative studies that are relevant for today's globalised world in which effective communication relies on thorough intercultural knowledge of the institutional communication styles.

All in all, Marcela Alina Fărcașiu's *Language in the Courtroom: A Comparative Study of American and Romanian Criminal Trials* is a book worth reading since it explores the conversational patterns employed during the criminal trials taking place in America and Romania, considering the ethnographic organisation of the two courtrooms as well as the symbolism associated with them and with the representatives of the two systems of justice. The book is, therefore, a valuable ethnographic and discoursal study of the *witness examination* speech event that occurs in two very different systems of justice, being highly recommendable to students, on the one hand and on the other, to language and legal specialists.

References

1. Atkinson, J. M. & Drew, P. 1979. *Order in Court: The Organization of Verbal Interaction in Judicial Settings*. London: Macmillan.
2. Chaney, L.H. & Martin, J. 2007 (1995). *Intercultural Business Communication* (4th ed.). New Jersey: Pearson Prentice Hall.
3. Cozma, M. 2010. *Semantic Peculiarities in The Legal Discourse: A Translation-Oriented Approach*, in *Professional Communication and Translation Studies*, 3 (1-2), 61-66.
4. Danet, B. 1980. 'Language in the Legal Process', in *Law and Society Review*. 14, 445-564.
5. Dimiu, R. 1930. *Limbajul juridic*. București: Ed. «Curierul Judiciar» S.A.
6. Fărcașiu, M. 2006. 'Studies of Legal English and Legal Romanian: An Overview', in *Buletinul Științific al Universității "Politehnica" din Timișoara - Seria Limbi Moderne*. Timișoara: Ed. Politehnica. Volume 5, 13-21.
7. Fărcașiu, M. 2007. 'Questioning Patterns in the Romanian Courtroom', in *Buletinul Științific al Universității "Politehnica" din Timișoara - Seria Limbi Moderne*. Timișoara: Ed. Politehnica. Volume 6, 23-29.
8. Fărcașiu, M.A. 2020. *When You Say Nothing at All: Non-verbal Communication across Cultures*, Szeged, Jate Press.
9. Hall, E.T. & Hall, M.R. 1990. *Understanding Cultural Differences: Germans, French and Americans*. Yarmouth, ME: Inter-cultural Press.
10. Hall, E.T. 1966. *The Hidden Dimension*. Garden City, N.Y.: Doubleday.
11. Hall, E.T. 1976. *Beyond Culture*. Garden City, NY: Anchor Press/Doubleday.
12. Hofstede, G. 1980. *Culture's consequences: International differences in work related values*. Beverly Hills, CA: SAGE.
13. Hofstede, G. 2011. *Dimensionalizing Cultures: The Hofstede Model in Context*. *Online Readings in Psychology and Culture*, 2(1). <https://doi.org/10.9707/2307-0919.1014>.
14. Hofstede, G., Hofstede, G. J. & Minkov, M. 2010. *Cultures and Organizations: Software of the Mind* (Rev. 3rd ed.). New York: McGraw-Hill.

15. Jumanca, R. A. D. 2018. *Characteristics of the English and Romanian Legal Discourse. A Comparative Approach*. Szeged: Jate Press.
16. Lüdi, G., Höchle Meier, K. & Yanaprasart, P. (eds.). 2016. *Managing Plurilingual and Intercultural Practices in the Workplace: The case of multilingual Switzerland, Volume 4 of Multilingualism and Diversity Management*. Amsterdam/Philadelphia: John Benjamins Publishing Company.
17. Maley, Y. 1994. 'The Language of the Law', in Gibbons, J. (ed.), *Language and the Law*. London: Longman, 11-50.
18. Maley, Y., R. Fahey. 1991. 'Presenting the Evidence: Constructions of Reality in Court', in *International Journal for the Semiotics of Law*. 4(10), 3-17.
19. Martinovski, B. 2001. *The Role of Repetitions and Reformulations in Court Proceedings: A Comparison of Sweden and Bulgaria*, Göteborg: Göteborg University, Dept. of Linguistics.
20. Mihai, Gh. 1982. *Elemente constructive de argumentare juridică*. București: Editura Academiei.
21. Patterson, M.L. 1983. *Nonverbal behaviour: A functional perspective*. New York: Springer.
22. Șimon, S. & Suci, L. 2015. „Raising Cultural Awareness in Interpreting Students”, in Alevriadou, A. (ed.), *Procedia - Social and Behavioral Sciences*, Volume 197, <https://doi.org/10.1016/j.sbspro.2015.07.390>
23. Stoian, C.E. and Șimon, S. 2017. *The Integration of Cultural Aspects in Syllabus Design*. Proceedings of ICERI2017 Conference, 6346-6352.
24. Svongoro, P., Mutangadura, J., Gonzo, L. & Mavunga, G. 2012. 'Language and the legal process: A linguistic analysis of courtroom discourse involving selected cases of alleged rape in Mutare, Zimbabwe', in *South African Journal of African Languages*, 32:2, 117-128.
25. Tchibozo, G. (ed.). 2012. *Cultural and Social Diversity and the Transition from Education to Work*. Heidelberg: Springer Science & Business Media.
26. Trompenaars, F. & Hampden-Turner, C. 1998. *Riding the Waves of Culture: Understanding Cultural Diversity in Business* (2nd ed.). London: Nicholas Brealey Publishing.
27. Wing Sue, D. 2005. *Multicultural Social Work Practice*. New Jersey: John Wiley & Sons.
28. Wing Sue, D., Rasheed, M.N. & Matthews Rasheed, J. 2015. *Political Science - Multicultural Social Work Practice: A Competency-Based Approach to Diversity and Social Justice*. New Jersey: John Wiley & Sons.