Reflections on developing enduring research collaborations across law and linguistics

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Abstract

Scholarship focused on language in legal settings and in laws themselves is an emerging field that involves diverse research across a variety of disciplines. This research, as a body of work, has a range of potential applications beyond academia across policy-making, professional practice and the interpretation and creation of law. However, the disparate nature of this area of research creates challenges for collaboration and for the accessible and impactful dissemination of findings.

This paper was originally presented at the 2019 biennial symposium of the Australian and New Zealand Associations of von Humboldt Fellows, following the theme of "Sharing Knowledge". In it, we share our experiences establishing an interdisciplinary researchers' network, the Law and Linguistics Interdisciplinary Researchers' Network (LLIRN). This initiative was a means of addressing some of these concerns and realizing this potential by strengthening collaboration and cooperation across institutions and disciplines, and by including academics at every career stage. Here, we reflect on the opportunities and challenges arising out of this experience and consider how they could inform researchers with similar goals in other research contexts.

Introduction

Over the last few years, we have read, applied and contributed to international research at the intersection of law and linguistics. Our contributions began as we undertook our doctorates together at Macquarie University's Department of Linguistics, our new "second home" as we were both teaching in law schools at the time.

While each of our doctoral projects involved law and language, their diversity hints already at the vast array of scholarship that falls within these interdisciplinary intersections. One was a legal and ethnographic examination of China's constitutional minority language rights (Grey in press). The other examined discourse, power and language ideology in official asylum seeker application processes and political and media discourse about refugees in Australia (Smith-Khan, 2017a, 2017b, 2017c, 2018, 2019a, 2019b, 2019c, under review).

We came to realise that there are important strands of research underway in which linguistic and legal scholarship and practices are made relevant to one another. But we also noticed that this research was disparate and that opportunities for interdisciplinary scholars to meet, collaborate and publish together were sporadic. It seemed to us that one common term for interdisciplinary law and linguistics work, "forensic linguistics", was sometimes a narrow and sometimes a broad term (Heydon, 2019, p. 3). Further, neither of us would say our kind of interdisciplinary law and language research was *forensic* in the sense of investigating crime, or even in the broader sense of relating to courts. And yet we had a lot of interest in other researchers we chanced upon combining law and language studies, and oftentimes we shared their methods, background readings, and problems.

Despite this real shared interest, we found there was little in the way of a cohesive articulation of how (or whether) there are theoretical and methodological bases upon which a field – sometimes also called 'legal linguistics' – is developing. We believed that this was limiting collaboration and limiting the strength with which researchers could present their work to audiences from distinct disciplines. It was particularly restricting the influence of linguistic research on legal scholarship and practice.

Therefore, we decided to start building a cohesive base ourselves, through face-to-face meetings and discussions, including by inaugurating an annual workshop-format symposium and arranging conference panels, both in 2019. We also started building up our base online, by administering an international email Listserv and establishing an online repository for sharing papers and expressions of interest in collaborative projects. We hoped that intellectual discussions and collaborative projects would follow, between ourselves and our new community but also independently between members of our new community. In this paper, we share our approach.

Existing research and teaching in language and law

Before conducting our symposium, we reflected on the different disciplinary, methodological and thematic approaches to research relating to language and law. This conceptualization provided a foundation for the symposium's facilitated discussions. Below, we provide a brief overview of how we conceptualize this interconnecting yet diverse scholarship.

Research

To guide our symposium discussions towards greater mutual understanding, and drawing on what we had learned about our participants in the lead-up to the event, we presented a proposed conceptualization of the emerging shape of the language and law research field.

Our heuristic organizes the field around three main subject matter/research question nodes, rather than around adherence to particular methodologies or legal or linguistic theories. Each node anchors a range of more specific topics found in the literature. The first is the language in legal or bureaucratic processes node; the second is the language-related social justice node; and the third centres on the regulation of language. We explain this theorization further in (Smith-Khan and Grey, under submission).

University teaching

While existing research demonstrates a rich diversity of scholarship related to both language and law, this is not equally apparent in current course offerings. Some, but not many, of LLIRN's members in Australia already teach in such courses. Our network members have been discussing possible collaborations to increase the translation of this research into teaching. We have also discussed whether there is a market for such courses in either linguistics or law departments, or as institutionalized partnerships between the two. There is some indication that there is a market: since establishing our symposium and network, prospective and current higher degree researcher candidates have contacted us explaining that their own interest is in the intersection of linguistic and legal research but they had been unaware that interdisciplinary researchers interested in language and law even existed, and expressing relief to find that we do. This suggests that there is room for further development of electives or the inclusion of material in existing core subjects that at least identifies interdisciplinary research about linguistic issue in law, or vice versa. It also demonstrates the potential for networks like ours to support future researchers who may otherwise remain unaware of the depth and breadth of research, and to aid them in finding opportunities to pursue their passions, or peers.

Developing collaboration

Collaboration is a valuable way to respond to some of these needs. We have both come to appreciate the value of collaboration and peer support. This began primarily during our doctorates at Macquarie University. Both under the supervision of Distinguished Professor Ingrid Piller, we were introduced to the Language on the Move research group. Language on the Move brings together Piller's current and many of her former - and sometimes also future - higher degree research candidates. Together we hold regular meetings in which we discuss various research-related topics – everything from providing feedback on a colleague's paper, through to sharing advice on submitting a book proposal, to reading and discussing a topical publication. Language on the Move also forms the organizing committee for academic conferences and symposia (including the international *Sharing Knowledge in the Spirit of Humboldt* symposium at which we delivered a presentation on which this paper is based). It maintains a social media presence via Twitter and Facebook, with a substantial international following (over 20,000). Finally, the group runs an online research portal, attracting contributions and readership from scholars around the world; its peer-reviewed research blog was the first non-traditional output to be reviewed by the *Journal of Sociolinguistics* (Nylund, 2018).

The incredibly enriching experiences we have had as part of Language on the Move means that we have developed a strong appreciation of the value of building research networks of peers, mentors and mentees, sharing research findings, and building research leadership skills.

When we each finished our doctoral research and secured research fellowships in law faculties in two different universities – Alex at the University of Sydney and Laura at the University of Technology Sydney – we were keenly aware that our interdisciplinary approaches and particular focus on language made us unique. But it also meant that there was no obvious pre-existing network or group to support our research agendas and career progression. We had to learn to explain to many law colleagues exactly what we do and why it is important, because this has not previously had a profile as an interdisciplinary area (unlike well-established interdisciplinary legal research fields, such as criminology or environmental law).

Given our positive experiences collaborating, we were inspired to start building our own network: one that could help us build a community of like-minded though diverse scholars, make sense of the multifaceted research intersections of language and law, and share strategies for expanding and integrating our work into existing disciplinary structures. This began with an inaugural symposium in April 2019, and was followed by establishing a network, via a Listserv.

Language and Law Interdisciplinary Researchers' Symposium

Purposefully expanding beyond our scholastic comfort zone, we sought to bring together researchers with varied approaches to combining language and law, including scholars of language rights and policy; forensic linguists; court translation and interpretation specialists; discourse analysts looking at varied state processes and state agencies, legislative corpus researchers, those concerned with diversity and equality, and those who teach university courses about language and the law. We identified and invited researchers from around Australia, at all career stages. Our international keynote speaker was Professor Katrijn Maryns, from the University of Ghent, a scholar whom we would place within our first node. Her expertise is on language issues (miscommunications, language beliefs and language policies) in official asylum- seeking processes in Europe (see e.g. Maryns 2006). We ended up with 31 participants for our April 2019 symposium. Many had tertiary qualifications in both law and linguistics/ languages.

To start building up awareness and community between these diverse participants, the theme of our inaugural Law and Linguistics Interdisciplinary Researchers' Symposium was: 'What do we share?' A seemingly simple, sometimes stupefying question! At the very

least, we believe that we share an emerging interdisciplinary field.

Symposium structure

To help shed some immediate light on this question, we sent out a 10-question survey, asking our inaugural symposium's participants about their qualifications, affiliations, their theoretical approaches, and subject matter. We then reported back with an overview of this data as part of our introductory presentation at the symposium. We also collected research outputs and biographies from each participant to share with the group as a whole. These provided stimulus to moderate a discussion around what our symposium participants identified as common ground or an identity of the group as a whole.

Rather than designing the symposium to involve traditional conference-style presentations, we opted for an interactive workshop approach, with just two individual presentations to complement these, along with our own introductions and report-back on the participant survey. The interactive sessions included a collaboration fair. Writing onto large posters around the room, participants could identify projects on which they would like help or for which they would like to collaborate with others, and 'sign up' to cooperate in others' proposals. We then migrated all the expressions of interest and suggested collaborative projects into a shared and editable online folder, so that people could go back to it later, add themselves or contact others who had expressed a shared interest.

Another session at the symposium focused on identifying key challenges for language and law research and workshopping opportunities to address these. The final session of the day brought together the results of these sessions to discuss and identify key next steps for the group.

Building a network

After the symposium, and based on the identified desire for ongoing collaboration and networking, we set up a Listserv mailing list.[1] We call ourselves the Law and Linguistics Interdisciplinary Researchers' Network (or LLIRN) and as of February 2020, our Listserv has over 100 members around the world, not just in Australia! The list has provided the foundation for sharing research activities to the group as a whole. It has also been a valuable means of developing a group identity and identifying ourselves as researchers who have an active interest in the intersections between language and law. This especially benefits early career researchers.

Since establishing this network, we have each been invited to participate in a number of related research activities, such as the International Association of Forensic Linguists' biennial conference (Grey & Smith-Khan, 2019; Smith-Khan & Grey, 2019), the Language Policy Forum of the British Association of Applied Linguistics, the Humboldt Symposium and a workshop on 'Language and Law' at Melbourne University (Smith-Khan & Grey, 2020). Moreover, through LLIRN, and with the support of the Humboldt Symposium's organisers, we were able to competitively select and sponsor two postgraduate LLIRN members' attendance.

In December 2019, we ran a panel at Macquarie University for the Australian Linguistics Society's annual conference.[2] Our panel members were all researchers we identified through the LLIRN, either as existing members, or through our members' recommendations. The panel's discussant was a former Federal Court judge and executive member of the International Association of Forensic Linguists, Peter Gray AM. Questions for the panel discussion were collected via the LLIRN Listserv. We have an ongoing, open call for LLIRN members to propose guest speaker events in order to build up a regular series, and we have proposed a special issue for LLIRN contributors to a legal journal.

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[1]https://mailman.sydney.edu.au/mailman/listinfo/law_linguistics_network

We have witnessed the ongoing expansion of the network, with the recent addition of a number of undergraduate, masters and higher degree research students. As two early career researchers who are keen to expand our research leadership experience, we can appreciate the value of the network as a platform to develop mentoring, and its potential to create postgraduate research supervision opportunities. In fact, it has been very gratifying to us to have become ad hoc mentors to even earlier career researchers who have approached us through the network to ask for guidance or seek our PhD supervision. Nurturing this community is especially important given that this intersecting research area is not always well known or represented. Having a group identity and receiving recommendations and introductions through our members is so valuable in this respect. It means that we are able to reach out to future researchers who share similar interests but frequently report simply not knowing that such a research focus was even possible, or that there was anyone already working at these intersections. It also enables us to bring existing researchers' work to a wider, keen audience.

Next steps

Ongoing challenges for us as a network of interdisciplinary researchers with interests in effecting change include improving our communication about our research to key stakeholders in other research disciplines or beyond academia, for example in legal practice, and policy making. Given the challenges of working within existing, often disciplinarily divided institutional structures, we also continue to seek innovative ways to find funding and collaborate, and to establish lines of communication for sharing our skills, ideas and successes with each other and with those whom our work could benefit or should influence. It is for this reason that we cannot over-emphasize the importance of events that advocate and facilitate the sharing of knowledge.

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[2] Details of the panel can be downloaded here: https://als.asn.au/Resources/PageContent/Files/d304b f47-5619-4527-a090-29bc22561c93.pdf