
**A summary of the thesis entitled :A forensic Linguistic Study On
Corruption In Iraq ,Identifying Its Motives And Causes To Find
A decisive Solution**

M. A. Student: Ibtasim Abd Al-Khaliq Majeed

Supervised by: Faiza Ahmed Mohammed

University of Baghdad- College of Education-Bin Rashad

ABSTRACT:

The theses deals with a very important and an innovative branch of linguistics called Forensic linguistics .It relates language with law and legal cases.

This theses aims to promote an awareness in the criminal justice system as well as among wider highlighting the nature of this innovative field and how it works to pick up linguistic and acoustic evidences in cases of corruption.

It also aims at creating awareness and interpreting the vocabulary ,terms and hints .It aims at showing how forensic linguists are qualified to give expert evidences in cases related with all kinds of corruption such as fraud, forgery ,kidnapping ,plagiarism ,trademarks ,bribery ,solicitation ,blackmail and threat

Empirical investigation was carried out to determine the motives behind corruption in various Iraqi institutions and offices attempting to find solution for this social problem by applying certain forensic linguistic methods in order to identify some linguistic and non-linguistic clues.(20)cases have been collected ,including (2)cases of blackmail type,(7)cases of forgery type, one case of kidnapping type,(2)cases of fraud and deception type, (3)cases of bribery type, (2)cases of theft of public money, one case of solicitation case and one case of plagiarism type.

1.0 The Introduction:

Forensic linguistics is a branch of linguistics which deals with linguistics theories findings and methods .Forensic linguistics means the cooperation between language and law, it focuses on the compatibility between linguistic and legal features (See Levi,1994,P.56).The new science can be effective as well as the legal medicine, legal psychology, so that there is need in court for forensic linguists in courts .Many countries ,like Iraq, have not heard any thing about Forensic linguistics even the American and England enjoyed this discipline of linguistics in the last decades.

To understand law, one must understand language in the legal system, since everything is language like statutes, subpoenas, warrants, questions, testimonies, contracts, decisions, confessions ...etc .Even things that are not actually language are transmitted through the language.

(See Leonard, 2005, P. 36)

2.0 The problem:

There are three areas of forensic contexts where linguists are working: Firstly, understanding the language of law, secondly, understanding the language use in forensic and judicial situations. Thirdly: providing linguistic evidence via language clues.

The discipline of forensic linguistics is not homogenous as it involves reports of experts and researchers in different areas of the field .Forensic linguistics is applied in the following legal settings such as the language of police for example (interrogation ,confession and advising),language of crime like solicitation ,conspiracy ,bribery, threats and plagiarism , it works by deriving linguistic evidences for example identifying anonymous authors of documents as part of criminal activities and identifying prints.

Empirical investigation needs to be carried out to determine the motives behind corruption in various Iraqi institutions and offices attempting to find a solution for this socially fatal problem by applying certain forensic linguistic methods in order to spot some linguistic and non linguistic clues that help in this research study.

3.0 The hypothesis:

The theses is based on the following hypothesis:
This study discusses the increasing need for the important role of linguistics in police investigations, courtroom, trials, and the area where language and law interact. The current study assumes that there are several kinds of motives behind corruption in Iraq, such as economic, social and criminal motives. It hypothesizes that the law application is either loose or absent, it also assumes that domination of some unqualified people on the administration help in creating corruption

The author Investigated, examined and analyzed some testimonies of selected cases to pick up some forensic linguistic clues, looking for language clues in terms of vocabularies, style, phrases, clauses, wording in order to find different linguistic evidences to prove the crime and solve different language problem.

Various types of linguistic clues have been collected to achieve the purpose of the study such as semantic ,grammatical, syntactic ,pragmatic ,speech acts ,contradiction , stylistic, discourse analysis and non linguistic clues.

The findings of the study revealed that the forensic linguists are required to be called in police investigations, courtrooms trials in order to solve language problem decisively by the power of language depending on their expertise in linguistics .Various kinds of motives have been spotted by making the computability between the forensic linguistic evidences and the legal elements of the crime, especially, the mental legal elements.

4.0 The procedure

The author followed the following procedure:

1-Investigating, examining ,and analyzing some testimonies of some selected cases in order to spot some forensic linguistic clues from such documents (written ,verbal, and electronic texts) achieved from some governmental offices ,

2- Classifying the collected data according to their types.

3- Looking for language clues in terms of vocabulary, style, phrases, Clauses, wording, as well as paragraph to examine the forensic and legal impact on the act of corruption in each case under study, the choice of words ,spelling , punctuation , and structure of written, and electronic text. verbal

Investigation may also include non language elements such as image sketch, drawings and symbols or the use of such combinations with language.

5-0 Conclusion

The author reached at the following findings:

1- Forensic linguistics has crucial role in interpreting, explaining and discovering a fact in the court.

2- Forensic linguistics deals with linguistic evidences and analyses and it helps to elicit legal clues from both oral and written text in order to decide whether the defendant is innocent or guilty.

3- Forensic linguistics is a branch of linguistics, it stands as a science by itself since it comes out of merging two disciplines such as language and law, each discipline has its rules, methods of analysis, and techniques and it deals with theories and parameters in order to solve language problems.

4- Language becomes a part of a legal activity since offences are planned and executed through language. For example, the utterances and statements, which

were given by the defendants, interrogatives, lawyers, judges, and witnesses, become data for linguistic analysis.

5- The police officer /interrogator should write the statements/reports in the words of the defendant/suspect not in the words of the officer or the interrogator who interrogated the defendant.

Thus the main principle of Forensic linguistics has been stated in the linguistic forms, such as vocabularies, grammatical categories.

Bibliography:

- Ades, A. and R. Di Tella. (1999). "Rents, competition and corruption ".
American Economic Review.89, PP.982 - 994.
- Adit, T. S., J. Dutta and V, Sena (2008), "Governance Regimes, Corruption and Growth: Theory and Evidence". Journal of Comparative Economics 36,195-220
- Aidt .T .S. and .Dutta, (2010),"Policy Compromises: Corruption and Regulation in a democracy", Economics and Politics 20 (3), 335- 60.
- Al Ani ,F. (2010 – 2011), M.A. lectures in general linguistics course.
- Akmajian, A.....et al, 4th ed.(1995),Linguistic An Introduction to Language and Communication ,London: England ,MTT press
- Araf, Jane.(2009). "Iraqi Voters Show Preference for Cando Over Creed".
Christian Science Monitor. January 23.
- Association of certified fraud examiner A C F E Inc (2013),Analyzing Written statements for deception and fraud.
- Bajalan ,ch. (2008),"Participants papers: Effective legal and practical measures to combat Corruption in Iraq" The Twelfth International TrainingCourse on the Criminal Justice Response to Corruption .
- Berk – Seligson ,(1990).The bilingual courtroom :court interpreters in the judicial process ,Chicago: vof Chicago.
- Biber ,D.[etal] 3rd impression(2000), Longman Grammar of Spoken and Written English, London : Longman.
- Bijhold, J &jessen,M ,(2007),"Forensic audio and visual evidence 2004-2007:A review" 15th INTERPOL Forensic Science Symposium, version: october1, 2007.
- Blackburn ,K .Bose, N. and Haque, E.M.,(2006),"The Incidence and Persistence of Corruption in Economic Development."

Journal of Economic Dynamics and control 30, 2447-67

Blawin ,J. & French ,J.,(1990),Forensic phonetics ,London : printer.

Bloor, M. & Bloor, T.,(2007) ,The practice of critical Discourse Analysis
An Introduction, united States of America: oxford University press.

Brown & Miller, (1991) 2nd edition, Syntax: A linguistic Introduction to
Sentence structure, Rutledge.

Brown G. & Yule, G.,(1988),Discourse Analysis ,New York: Cambridge
University press .

Brunette, A & Weder,(2003),"A free press in bad News for corruption "
Journal of public Economics, 87:7-8, PP.1801-824.

Clickman M.,(2012), "The 10 tell- tale signs of deception ,Center of
Fraud Examiners.

Charrow,R. & Veda ,R.(1979), "Making legal language understandable",
A psycholinguistic Study of Jury Instructions Colombia Law, Review
Association, Inc publisher.

Cheung, S .N.(1996),"Simplistic General Equilibrium Theory of
Corruption" ,Contemporary Economic Policy,14(3): 1-5

Cotteril ,J.,(2002) ,Language in the legal process, Palgrave

Coulthard, M.,(2005),"The linguist as expert witness." , Linguistics and
the human science ,1(1) 39-58

Coulthard, M. & Johnson, (2007), An Introduction to Forensic Linguistics
language in evidence ,London and NewYork: Rutledge.

Coulthard, M. & Johnson, (2010),Routledge handbooks in applied
Linguistics , British library cataloguing in publication data.

Crystal, D. (2006), How Language Works, penguin books , ltd ,London:
England.

Cutting ,J. ,(2002),pragmatics and Discourse ,NewYork :Rutledge

Davies, A. & Elder.(2007),The Handbook of Applied Linguistics,
Black well publishing .

Djankov, S., La porta ,R.,Florencio Lopez and Shliefer ,A.,(2002),
"The Regulation of Entry" ,Quarterly Journal of Econemics,117:1-34

Eades,D.,(1994),"Forensic linguistics in Australia: an overview "
International of speech language and the Law 1(2) 113-132

Eades, D.,(2002),"Evidence given in unequivocal terms: gaining consent of Aboriginal young people in courts "in Cotterill ,Language in the legal Process, Hounmills: plgrave Macmillan.

Eades, D., Fraser, H., Siegel, J., (2003), Linguistic identification in the determination of nationality :A Preliminary report.,Language policy 2,179-99

Eagleson,R.,(1994), Forensic analysis of personal written texts :a case Study in Gibbons.,(ed), Language and the law (PP.363-373), Harlow: Longman Eastwood ,J.,(2004) ,Oxford Learners Grammar, Oxford University grammar

Farinde, R., (2010), "Discourse Acts in police –Accused Interrogation in selected police stations in Nigeria" in Ogunsiji ,A, and odebunmi ,A., (eds),Language, literature and Discourse , Manchen Germany :Lincon GmbH,PP.249-266.

Fauconnier ,G.,(1994),Mental spaces, Cambridge: cup.

Forensic linguistics-Wikipedia, the free encyclopedia ,http://en.wikipedia.org/wiki/Forensic_linguistics/use_of_linguistic

Foster D.,(2000), Author unknown on the Trial of Anonymous. NewYork: Henry Hott.

Fraser, H.,(2003),"Issues in Transcription :Factors effecting the reliability of transcripts as evidence in legal cases ." International Journal of Speech Language and the law,10(2),203-226

Websites References:

www- dar-us-salam com the Noble Quran /index –htm/.Complete English translation of Noble Quran.

Wikipedia ,(2011).the free encyclopedia of forensic linguistics. (<http://www.iafl.org>) International Association of Forensic linguistics.

(<http://www.StrategicStudiesinstitute.army.mil/> , William, P. (2009) "criminals militias and insurgents : organized crime Iraq.

(http://wps.Pearsoncustom.com/wps/media/objects/3388/3669470/ch_i8.pdf

<http://www.assaman.com/Azzaman> . AL-Jawari , Hadeel (2009),
"Iraq Government Hit by Graft :4000 forged University degrees
Uncovered ",

http://www.forensiclinguistics.net/efl_fl.html. Center of Forensic
linguistics, Forensic linguistics, Aston University

[www.robinhow.com/lac] Cooper ,A. J.,(2005) ,Detection of copies of
Digital Audio recording for Forensic purposes, unpublished ph. D.
theses, the Open University

المصادر باللغة العربية

- ١- ابن كثير، عماد الدين ابو الفداء (١٩٩٨) تفسير القران العظيم، الجزائر: دار ابن باديس:
Quran –Muslim –Web .com/sura htm? Aya (Tafsir ibn kathir)
- ٢- الدكتور اكرم نشأت ابراهيم، الاحكام العامة في قانون العقوبات العراقي، الطبعة الثانية، بغداد(١٩٦٧).
- ٣- علم النفس الجنائي، الطبعة الثانية، عمان - الاردن (١٩٩٨).
- ٤- الدكتور فارس رشيد البياتي، الفساد المالي والاداري في المؤسسات الانتاجية والخدمة، معالجة نظرية عمان، ايلة
للنشر (٢٠٠٩).
- ٥- لقاء محمد عكروش (٢٠٠٦)، مجلة الثورة:
<http://thawra.alwehdagov.sy/printview.asp?filename=5354619852008>
- ٦- الدكتور محمد فتحي، علم النفس الجنائي ، الجزء الاول، الطبعة الرابعة، القاهرة، (١٩٦٩).
- ٧- الدكتور محمد شحاته والدكتور معتز سيد عبد الله، علم النفس الجنائي، دار غريب للطباعة والنشر
- ٨- الدكتور هاشم الشمري والدكتورة ايثار الفتلي، الفساد الاداري والمالي واثاره الاقتصادية الاجتماعية ، عمان الاردن
دار اليازوري للنشر والتوزيع، (٢٠١١).

علم اللغة القضائي:
دراسة في الفساد بالعراق، حوافزه، وأسبابه لإيجاد قرار
بحث مستل لطالبة الماجستير: ابتسام عبد الخالق مجيد
بإشراف: أ.د. فائزة أحمد محمد
جامعة بغداد - كلية التربية / ابن رشد للعلوم الإنسانية

الملخص:

إنّ هذه الرسالة تسلط الضوء على احد الفروع الحديثة لعلم اللغة حيث يعتبر من العلوم المهمة والواعدة وان الدراسة الحالية ترفع الوعي لدى النظام القضائي بتسليط الضوء حول اهمية هذا الفرع في استخلاص الادلة اللغوية في حالات وقضايا تتعلق بالفساد الاداري والمالي في المجتمع.

إنّ هذه الرسالة تبين كيف ان فقيه اللغة الجنائي يكون مؤهل وقادر على استخلاص الادلة اللغوية في قضايا مرتبطة بكل انواع الفساد المنتشر في المجتمع مثل قضايا النصب والاحتيال، التزوير الرشوة السرقة العلمية، الدعاوي الكيدية، الابتزاز والتهديد.

دراسة ميدانية تم انجازها لتحديد الدوافع التي تقع وراء انتشار بعض انواع الفساد في مختلف دوائر الدولة من اجل ايجاد الحلول لبعض من هذه القضايا المتعلقة بالفساد من خلال تطبيق طرق خاصة بفقه اللغة الجنائي من اجل تحديد بعض الادلة اللغوية وغير اللغوية. وتم تأكيد اهمية الدور الذي يؤديه فقيه اللغة الجنائي في حل القضايا المتعلقة بالمحاكم، وتؤكد وجود عدة انواع من الدوافع تكمن وراء انتشار جرائم الفساد.

تتألف هذه الدراسة من خمسة فصول الفصل الاول يتناول المشكلة والفرضية اما ،الفصل الثاني يتناول مسح للأدبيات المتوفرة حول التعريف بفقه اللغة الجنائي واهميته ، الفصل الثالث يستعرض انواع الفساد الاداري والمالي والسياسي المنتشر في المجتمع العراقي اما الفصل الرابع يتناول التحليل اللغوي لعدد من الحالات والقضايا الي تم جمعها من دوائر الدولة المختلفة والتي تمثل قضايا حية، وقد واجه المؤلف صعوبات متعددة في مدة جمع القضايا، وذلك؛ بسب كون هذا العلم غير معروف حتى الآن في العراق.

القضايا التي تم جمعها متنوعة وقد تم تحليلها بتطبيق طرق التحليل الخاصة بفقه اللغة الجنائي وتم استخلاص انواع مختلفة من الادلة اللغوية مثل الادلة اللغوية التي تختص بالنحو ،المعنى ،تحليل الكلام ،التناقض، اسلوب واستنتاج المعنى المقصود من المتكلم اذا كان متهم ام شاهد في القضية.

نتائج الدراسة بينت بأن لفقيه اللغة الجنائي دوراً مهماً وفعالاً في القضايا المتعلقة بالمحاكم والمجالس التحقيقي.