Perceptions of Lahore's Legal and Police Professionals on Forensic Linguistics: An Institutional Theory Approach

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ABSTRACT

The purpose of this study is to explore the familiarity about forensic linguistics among lawyers and police officers of Lahore. This research identifies the hurdles in the adoption of forensic linguistics in the criminal investigative system. There is a growing demand for forensic linguists in many of the Western countries and their requirement is also stressed in some of the developing countries. However, it is still relatively new to hire forensic linguist in Lahore, a province of Pakistan. In this research a qualitative design was employed in which 10 participants, lawyers and police officers, were selected and interviewed by using semi structured interviews. The collected data was analyzed using narrative analysis followed by Scott's (2013) conception of Institutional Theory. Institutional theory focuses on the regulatory, normative and cultural cognitive aspects that occur in the diffusion of new practices. Findings indicate that even though there is an appreciation for forensic linguistics, little awareness exists regarding how it could be useful, and major institutional barriers seem to be resistant to it. Legal institutionalization barriers consist of illegitimate policies, normative and cultural-cognitive barriers comprise professional resistance and absence of conception about linguistic analysis. The study recommends and concludes with an emphasis on policy adjustments, educational instructions and the awareness guiding to eliminate these barriers for incorporating forensic linguistics in Lahore's criminal investigative system.

Keywords: Forensic linguistics, Criminal Investigations, Institutional Theory, Narrative Analysis

INTRODUCTION

Forensic linguistic is a branch of applied linguistics which deals language in legal matters. It is an emerging field that analyses language, like identifying who wrote something or recognizing a speaker's voice, to help solve crimes. While it is becoming popular around the world, but it is still not widely used or understood in countries like Pakistan.

In criminal investigations around the world, the discipline of forensic linguistics has become a very useful tool that applies linguistic methods to legal contexts. With this field, experts can attempt to solve crimes by analyzing language contained in equally written and spoken forms through such techniques as authorship attribution, linguistic profiling and analysis of confessions (Coulthard & Johnson, 2010). Forensic linguistics is now beginning to spread into Western

criminal justice systems and to be recognized as a scientific source for claims, finding patterns of communication and supporting evidence-based conclusions.

Despite this, its integration into Pakistani legal and law enforcement structure has been very limited. Although, forensic linguistic techniques have a substantially positive impact on investigative accuracy and efficiency, but the application of forensic linguistics in Lahore which is a Pakistan's second largest metropolis with its primary focal points for law enforcement has only shown minimal exposure to such techniques. Forensic linguistics has been useful in issues like; Law and Plagiarism, Law and Intellectual Property Rights and Law and Trademarks, (Tiersma & Solan, 2012). Furthermore, forensic linguists have been demanded as the expert witnesses at the courts and giving substantial information about the language evidence.

There have been some improvements with forensic science in Pakistan, it is rather closely related to forensic medicine and criminology, but the study of forensic linguistics is still undefined. Currently, forensic linguistics is offered in limited universities and other legal institutions, and this again implies that these legal professionals including the lawyers and police officers may not fully understand the implications of this field. Forensic linguistics can be useful in areas where oral and written language has a significant part to play in law when the society is multi- linguistic and the law itself is nervous and complicated as in the case of Pakistan.

Therefore, the research seeks to address this gap through a survey that determine the understanding of legal professions in Lahore, one of the largest and most influential cities in Pakistan, has about the suitability of forensic linguistics for criminal investigation. Another reason for conducting such research in Lahore is that Lahore is a central point in legal affairs and law enforcement agencies.

Thus, this study goals both the lawyers and the police officers because these two groups are directly related to investigations, to have an overall perspective regarding the awareness and acceptability of forensic linguistic practice in the criminal justice system of Pakistan. It also aims at understanding how these professionals perceive the possibility of applying forensic linguistics into their investigative and legal procedures including suspect identification, evaluation of confessions and language evidence. According to Shuy (2006), language plays a central part in investigations, its presence is crucial and the right approach to its analysis will result in different outcomes of the case. Gibbons (2003) claimed that due to the application of forensic linguistics, people were able to make improvements concerning the legal procedures because the results of the assessment are based on linguistic principles that are hard to argue in court.

In addition, it seeks to determine the challenges and feasible prospects of the cooperation between the linguistic professionals and police in Pakistan by considering the perceptions from the sides that are directly engaged in criminal investigation

This research paper tries to address the perceptions about forensic linguistics with the legal as well as law enforcement professionals in Lahore; whether institutional and systemic factors would be a stumbling block towards implementation of forensic linguistics in criminal investigations. It contributes to the emergent discussion of forensic linguistics, proposing the perspectives into and challenges faced by Lahore's criminal justice system in the regional context.

Statement of the Problem

This has implications for Pakistan particularly in forensic linguistics research, where there is no mechanism of awareness, training as well as institutional affiliation for the legal professionals may lead to missed opportunity in harnessing linguistic evidence in criminal cases (Ali et al., 2022). Even though forensic linguistics can boost the efficiency of criminal processes, its applicability in Pakistan is weak. Lawyers and police officers may not fully appreciate and welcome forensic linguistics when they do not know how it

can enhance their investigations or legal cases. The current study objects to uncover the familiarity of lawyers and police officers of Lahore with regard to the importance, usefulness and difficulties of engaging forensic linguistics in criminal investigation. By learning their perception, will also reveal challenges to the adoption and how forensic linguistics can be incorporated into the legal system of Pakistan.

Research Question

What are the perceptions of lawyers and police officers of Lahore regarding the integration of   forensic linguistics in criminal investigations?

LITERATURE REVIEW

The role of forensic linguistics in criminal investigations throughout the world has become well-established as a valuable means of analysing language-related evidence. This field uses linguistic techniques to study textual or spoken evidence to determine a perpetrator or to make sense of an area of the law (Coulthard & Johnson, 2010). For example, researches in United Kingdom and United States have shown its efficacy in fields like authorship attribution, linguistic profiling and analysis of police interrogations (Olsson, 2004). For instance, in the U.S, investigation of the 'unabomber' case, linguists played a key role in analysing the language of the suspect's letters, culminating in his identification (Shuy, 2006). In developing countries, including Pakistan, however, the role of forensic linguistics is limited. Linguistic experts play a role in only a few criminal cases and their field has yet to be formally incorporated into investigative procedures (Shah, 2022). However, in Western countries, forensic science is highly regarded but often legal professionals understand little about the specialties of the fields (Cole & Dioso-Villa, 2007).). Those with insight into the subject often considered it insignificant to their normal activities mainly from the absence of structured education. This belief signifies a significant systemic issue in Pakistan's legal infrastructure where physical evidence frequently overshadows linguistic evidence (Anjum et al., 2007). In particular, forensic linguistics is commonly associated as less reliable or less established science than other forensic sciences. Compared to law enforcement professionals in Pakistan, Shah (2022) discovered that lawyers and the students of law do not expose to forensic linguistics and consider it as a secondary tool that they do not fully understand how it can be used in a criminal investigation. The criminal justice system also has institutional barriers leading to the same perception while lacking awareness.

Institutional Theory

Scott's (2013) Institutional Theory offers a framework through which to explain how institutions take up and incorporate new practices. According to Scott, institutions are influenced by three pillars; regulatory, normative and cultural cognitive elements. The formal rules and policies are termed regulatory pillar, normative pillar contains social norms and values and the remaining is referred to within the cultural-cognitive pillar which includes shared belief and understanding (Scott, 2013). In many parts of the world, forensic linguistics is a relatively new discipline and the support of institutions is necessary before it can be fully incorporated in the legal practice. The use of Institutional theory is useful in determining how legal and law enforcement institutions in Lahore react to the introduction of forensic linguistic methods. The cause one could think is that, in Pakistan, regulatory constraints, normative resistance and a lack of cultural awareness about forensic linguistics likely hinder its adoption (Shah, 2021). To promote its use in criminal investigation it is important to understand these institutional barriers.

Research Gap

Forensic linguistics has emerged as a phenomenon globally but there has been a dearth in region specific studies particularly in South Asia. Forensic linguistics literature is insufficient in Pakistan and there has been a little work done by forensic linguists in forensic investigation in Lahore. In order to fill that gap, it evaluates the familiarity and perception about forensic linguistics among lawyers and police officers in Lahore, Pakistan. This will allow insights into the potential for integrating forensic linguistics into the country's criminal justice system and expose institutional challenges that will need to be overcome.

MATERIALS AND METHODS

The data was collected using a qualitative approach. As explained by Neuman (2005), qualitative research illuminates the mechanisms of the operation of social forces in a certain context. Creswell (2008) provides it as a detail examination of an individual's program, activity or process. According to Adams et al. (2015), qualitative research focuses on the reasons and feelings of individuals engaged in a program, their actions, and experiences, and provides a more specific depth of research over a wider population than vast data.Using a qualitative approach enables the richness and complexity of the participants' perspective on the meaning of forensic linguistics' role in criminal investigations to be comprehended. Data is collected through semi structured interviews which allow flexibility in exploring those complex ideas, whilst maintaining a consistent framework across interviews (Bryman, 2016).

Data collection

The study employs random purposive sampling, 10 lawyers and police officers are selected through this method. Purposeful sampling validates that participants with related experience and knowledge are chosen to provide detailed understandings into the research topic (Patton, 2015). The study sample includes participants who are very knowledgeable and are also likely to be providing well informed opinions on forensic linguistics.The data was collected through semi structured interviews. The researcher used open ended questions to dig deeper into the concerns and challenges that lawyers and police officers might face while adopting forensic linguistics.

Data Analysis

Narrative analysis is used to analyze the data by focusing on the stories told by the participants. This kind of narrative analysis is suitable for understanding how people make sense of their experiences and perceptions in areas that are complex and underexplored like forensic linguistics (Riessman, 2003). Institutional Theory of Scott (2013) is applied to explain the findings and provides help to understand how institutional norms, rules and beliefs influence the acceptance of forensic linguistics in the legal and law enforcement sectors. The analysis identifies key themes that arise from familiarity, perceived relevance and institutional barriers that are later categorized on the basis of regulatory, normative and cultural cognitive pillars of Institutional Theory.

Ethical Considerations

Participants are informed of all aspects of the research and how they will be included. Before each interview the participants are informed of the voluntary nature of participation and may withdraw from the research at any time with no negative consequences. All interview data remains anonymized in reporting the findings. No confidentiality is breached. Transcripts and audio recordings are stored securely and only the researcher can see what the real transcript and audio says.

Limitations

This study is limited in several ways. The sample is relatively small (10 lawyers and police officers) which could limit the generalizability of the results to the larger population of legal and law enforcement professionals in Pakistan. The study is further region specific and has been limited to study Lahore only, therefore the findings may not necessarily apply to all other regions of Pakistan. Although the research aims to offer a comprehensive examination of forensic linguistics, the limited prior range of implementation of forensic linguistics in Pakistan may limit the level of awareness of participants and negatively influence the richness of data collected.

DATA ANALYSIS

The research follows a descriptive Narrative analysis guided by Scott (2013)'s institutional theory. The analysis intended to explore participants' familiarity with forensic linguistics, their views of its relevance to criminal investigations and the institutional barriers to its adoption.

The first theme which emerged from the interviews is that forensic linguistics is generally not known at all. Both legal and law enforcement professionals, however, have expressed limited knowledge of the field. For example, one lawyer stated:

"I've heard the term 'forensic linguistics' but don't know what it means, or how it would be useful." We use more physical evidence and witness testimonies."

Similarly, a police officer shared:

"I have never worked with a linguist on a case." But instead we focus more on traditional methods like forensic evidence and interviews. "I had never heard of using language to solve a crime."

They illustrate a common theme in this response of unfamiliarity, as found also in Shah (2021) on the lack of forensic linguistics awareness in Pakistan's criminal justice system. The lack of formal education on this field in the participants' professional training can also be seen in the limited understanding on their part.

Some people lacked familiarity with this 'new' concept. However, they still knew that forensic linguistics could be a valuable thing, especially if they were dealing with something like written or spoken evidence. One lawyer said:

"The forensic linguist is hopeful that if threatening letters or ambiguous statements could prove useful if it could help us analyze them." The problem is, do we have experts for that here?"

A police officer similarly reflected:

"If you do have a lot of written communication, say ransom notes or blackmail, it would make sense then to have someone who understands other people's language patterns to try to identify who was the author,"

These responses signal potential recognition of forensic linguistics' potential role in cases that involve language based evidence, such as written threats or suspect interrogations. Yet despite this, both professionals stated that such access to experts, as well as the feasibility of implementing such methods in their current work environment, is constrained by institutional barriers which limit the field's application.

The most prominent theme to come out of the interviews involves reminders of the perception of institutional barriers preventing forensic linguistics' integration into Pakistan's legal and law enforcement systems. The barriers are analyzed in this study by using Scott's (2013) Institutional Theory that institutions are shaped by regulatory, normative and cultural cognitive elements.

Regulatory Barriers

Several participants stated that forensic linguistics did not have sufficient formal regulations or guidelines to be used in the course of investigations. A lawyer stated:

It's not like we are compelled by law or regulation to consult a linguistic expert. "We would probably take it more seriously if it were mandated, you know."

Similarly, a police officer remarked:

"We don't have a framework for involving forensic linguists legally." For now it will be difficult to prioritize this kind of analysis until there's a formal policy or law to guide the work."

These responses to various regulatory incidents nicely match the regulatory pillar of Scott's Institutional Theory, which suggests that formal rules and policies affect institutional behavior. Forensic linguistics is underutilized because professional are not compelled or rewarded to utilize linguistic analysis within their investigation methodologies.

Normative Barriers

The interviews also showed normative barriers, in the forms both lawyers and police officers saw as skepticism as to the legitimacy of forensic linguistics as a tool in criminal investigations. A lawyer explained:

"We have to rely on physical evidence and witness statements. But forensic linguistics might be useful, although it certainly feels more academic exercise than something that will result in convictions."

A police officer similarly stated:

"I never have seen it used in any one of the investigations in anyway." There is a reluctance to doing anything 'new' without actual proof that it will work. And we're more comfortable with doing things the traditional way."

These comments embody the normative pillar in Institutional Theory, where established professional norms and practices provide resistance to new techniques. The normative commitment to traditional forensic methods creates scepticism toward forensic linguistics and thus it is hard to introduce any alternatives.

Cultural-Cognitive Barriers

Additionally, cultural-cognitive barriers were located as both lawyers and police officers tended to frame forensic linguistics as a foreign or foreign concept. A lawyer stated:

"People don't even know what forensic linguistics even means in our context. It's something we've never been exposed to and there's no awareness."

A police officer similarly said:

"In Pakistan the linguistics science is still not taken seriously. And we don't have a lot of professionals in this field and culturally it doesn't lie on our line of how we investigate crimes."

These cultural cognitive responses fit with Scott's (2013) argument that institutions are shaped by common beliefs and understandings. Resisting and hindering its use is a lack of awareness of forensic linguistics and lack of support of cultural norms for forensic integration into criminal investigation.

DISCUSSION

This analysis finds major weaknesses that prevent forensic linguistics from being integrated into Lahore's criminal justice system. Alignment of these barriers with regulatory, normative and cultural cognitive barriers with Scott's Institutional Theory points to the importance of institutional factors in adoption of new practices.

This aligns with global trends where forensic linguistics is being integrated into investigative processes in countries like the UK and Germany (Coulthard & Johnson, 2010). In Lahore, many respondents, especially younger lawyers and police officers, see the value in linguistic evidence, whether it's to identify the author of an anonymous letter or analyze the tone of a threatening phone call.

One lawyer said: "Forensic linguistics might just be what we need in cases where traditional evidence is lacking. Imagine using language to crack a case wide open!". Such perception reveals that forensic linguistics has great promise as cases enter a new age of sophistication and internationalization. But this positive attitude is more apparent with people who are acquainted with scientific means of investigation as opposed to the traditional ones.

To a number of people, forensic linguistics is still a niche area with a lot of possibilities in the local market. There is a set of legal professionals and police officers that never even heard about forensic linguistics, and those who did, were most probably exposed to it insufficiently and did not receive any formal education in this field. This is in line with Ali et al., (2022) study in which the legal professionals in Sindh showed limited knowledge regarding the subject. Some of the participants even in the interview sessions confessed that they had never come across with a forensic linguist in their entire professional experience, which showed that the practice is still infancy in Pakistan.

One lawyer admitted: Here is a quote to illustrate that: "I've never had to work with a linguist, and frankly, I don't see how they fit into our system right now." This implies that there is a need to increase awareness as well as to offer training and educational programs to the stakeholders. If such measures are not going to be taken, forensic linguistics will remain something shrouded in mystery and not something that people can turn to. As shared belief systems point out by the Institutional Theory, education plays an influential role in transforming newly adopted practice into socially accredited norms; thus, developing programs and integrating forensic linguistics into the curriculum of the Law Schools could help to get rid of these neutral responses. While the majority of the respondents agreed with what has been proposed, some respondents professed doubt on forensic linguistics saying that they believed in traditional techniques rather than in new specialized techniques. It was evident that the more senior of respondents shared the notion that hiring a linguist is not cost effective and may compromise a lawyer's authority. One lawyer mentioned: "If we tell our clients that we need a linguist for their case, they will ask, 'Why did we hire you in the first place? Isn't this your job?'

This mentality is very typical in Pakistani legal system where hiring external experts is seen as a threat to a lawyer's credibility rather than a valuable resource. To many a lawyer, seeking assistance of a linguist is perceived as a sign of failure or shortage of capability.

Further, some of the interviewed lawyers said that hiring a linguist would not be economical, especially in cases that involve public grants. One participant said: "We're already struggling with resources in most cases, adding the cost of a forensic linguist would be a hard sell to our clients." These justifications show a logistical problem of the enhanced use of forensic linguistics for the goal of interpreting evidence, as many lawyers do not think that other ways of investigating, such as eyewitnesses and material evidence, are not enough. This kind of refusal to request more specialized services such as forensic linguistics can be explained by the financial limitations that permeate the Pakistani legally industrial complex where the principle of economy rules over innovation.

On the law enforcement side, some police officers echoed this resistance to change, with one senior officer said "Why need a linguist when the 'danda' speaks louder than anything else?" The danda, meaning force or coercion is the way Pakistani investigations used to operate. This statement compares a stereotyped belief of rough and efficient way of solving cases as opposed by the more formal and time-consuming techniques of forensic linguistics.

They adopt such mentality as an exhibit of police brutality within Pakistan where confessions are elicited through force and not through intellectual means. For forensic linguistics to spread within the police force, there will have to be change in the police organizational culture where evidence- based approaches will be preferred to a coercive approach. This shift will mean not only the educational campaign but the institutional changes that would focus on scientific approaches to security rather than force.

Even though it has been recognized that forensic linguistics has potential, the absence of operative frameworks, professional norms and cultural understanding of the field has raised many challenges to its implementation.

These barriers need to be surmounted through raising awareness, formalization of policies and by the collection of legal and linguistic experts. It would not only facilitate the integration of forensic linguistics into criminal investigation but also contribute to the overall efficiency of the criminal justice system in Lahore and other parts of Pakistan.

RECOMMENDATIONS AND CONCLUSION

The research explored the perceptions and familiarity of forensic linguistics among lawyers and police officers in Lahore, Pakistan, with the purpose of understanding the potential barriers to its integration into criminal investigations.

The results indicated that there is some recognition of how forensics linguistics can be valuable, particularly in situations when written or spoken items are evaluated, but many participants appear to be largely unacquainted with the discipline in question. The absence of such knowledge is compounded by substantial institutional barriers: the absence of regulatory frameworks, the reluctance to use new practices out of professional norms and a cognitive-cultural gap focusing on language analysis in criminal investigations.

Scott's Institutional Theory served as useful basis to explore these barriers and consequently showed how regulatory, normative and cultural cause impacts the acceptance and integration of forensic linguistics into the legal and law enforcement systems of Lahore. Even more so, the study highlights the necessity to resolve these institutional challenges. Therefore, it stresses the importance of increasing the formulation of awareness of forensic linguistics, development of maturing policies to control its utilization and the necessity for inter professional collaboration in forensic law between legal professionals and forensic linguistic professionals.

The study calls for educational programs, policy reforms and awareness campaigns to overcome the existing barriers. It stresses that, to promote the use of forensic linguistic practice in Lahore given the potential benefits of forensic linguistics in increasing the accuracy and efficiency of criminal investigations.

Finally, the following recommendations for future research are proposed in light of the conclusions and limitations of the current investigation. Firstly, increasing the study area is proposed to find out whether the findings on the subject of forensic linguistics apply to other areas of Pakistan or are unique to Lahore. The second suggestion is to extend the sample and invite a wider range of legal practitioners such as judges or prosecutors to have a more reliable view on the place of forensic linguistics within the legal framework. Moreover, the subsequent studies could also look at the multilingual aspects of the forensic linguistics'

application in the country, especially in the areas where more than one language is used, in order to discuss possible workarounds for the mentioned difficulties.

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