I. Project Description: Comparative Legal Linguistics of French and American Judicial Opinions: A Corpus-Based Examination of the Linguistic Features of Legal Traditions

This research will examine the linguistic differences between French and American high-court judicial opinions through corpus-based analysis, focusing on how language structures mirror civil law (France) and common law (US) traditions, respectively. Through mixed-methods analysis of structural, stylistic, and functional linguistic features, the research investigates how language choices by individual judges or a collegial body in judicial opinions manifest core differences between civil law and common law traditions. This study situates itself within the ever-growing domain of legal linguistics, or, as it is often referred to in the US, language and the law. However, in this proposal, I opt to use the term legal linguistics because it is more widely used in international contexts, given that this research is conducted in a comparative framework.

Legal language as a specialized form of communication plays a pivotal role in shaping and interpreting the law; arguably, law is inseparable from and cannot exist without language (Gibbons 2003). As a language for a specific purpose (LSP), legal language can also be divided into different genres, judicial opinions being one of these genres (Kurzon 1997). As a genre of legal language, judicial opinions are particularly interesting given their qualities as formalized, edited, and curated texts. The field of language and law has primarily been monolingual but has become increasingly comparative in nature in the past decade, with Mattila (2016) and Galdia (2020) laying the groundwork for comparative legal linguistic methodologies. Legal comparatists have thoroughly explored the distinctions between common law and civil law traditions (Lundmark 2012), with common law primarily associated with Anglophone countries and civil law more typically linked to Francophone ones. What Lasser (1995) describes as a judicial (self-)portrait or what Thalken et al. (2024) refers to as judicial personas are particularly interesting to approach from a comparative perspective and corpus-based analysis to see how self-conception is expressed through language and how that same language, analyzed on a large and encompassing scale, reflects its respective legal tradition.

Aligned with a mixed-methods approach, this project will require the creation of two corpora, one for the opinions of the US Supreme Court and a second for the *arrêts* of the French *Cour de Cassation*. A corpus is a large collection of authentic texts that offers a systematic study of language through corpus linguistic analysis of the textual data. As corpus analysis offers a more empirical and large-scale analysis of language compared to methods such as elicitation, it has attracted more interest. It is instrumental in the context of this research as I am working with thousands of judicial opinions. These two corpora will be comparable in genre, both being judicial opinions and in time period, 1960-2024, in line with previous comparative corpus analysis research (Whittaker 2014; Sarčević 1997). AntConc (a corpus linguistics software) and R (a statistical programming language) will be utilized to identify features such as opinion length, lexical complexity, citation density/vitality, modals, evaluative adjectives, and passivation. I hypothesize that these quantifiable linguistic differences (structural, stylistic, and functional features) in judicial opinions mirror deeper systemic differences between civil law and common law approaches to judicial legitimacy, transparency, and authority.

My anticipated arrival date is June 13th, 2025, and my anticipated departure date is July 15th, 2025. Before arrival, I will begin compilation of the US Supreme Court corpus and consult previous literature on US common law and judicial style, which will be instrumental in forming the literature review and bolster the project's efficiency in allowing me to begin French-focused work immediately upon arrival in Paris. Between June 13th and 15th and the week of June 16, I plan to consult existing French literature on the civil law and style of the *Cour de Cassation,* which is inaccessible digitally and challenging to access in the US, in addition to compiling the corpus of *Cour de Cassation* opinions. Part of this compilation process will also include a verification that the corpus includes all opinions from 1960-2024 utilizing the court's archives. During the weeks of June 23 and June 30th, I plan to work extensively on cleaning, encoding, and analyzing the *Cour de Cassation* and US Supreme Court corpora. Finally, the week of July 7, I will continue analysis and begin visualizing and writing about the findings between the two corpora. I intend to use the BSG library card that I acquired last summer to access the Bibliothèque Sainte-Geneviève and use it as my primary workspace and to take advantage of its extensive collections of legal materials and scholarship. Many of these materials are not digitized and, thus, more challenging to access in the United States, even through Interlibrary Loans and other services. I will also access valuable research materials in other libraries, such as the Bibliothèque Nationale and Bibliothèque Cujas. Access to the *Cour de Cassation* is generally unavailable to members of the public, however, the archival library located on-site is available for academic research; I will reach out to the International Relations contact of the *Cour de Cassation*, James Geist-Mokhefi, a Franco-American jurist, who I had the privilege to meet through the Cornell Law School Pre-Law Program last summer, to seek access. The holdings of the Bibliothèque de la *Cour de Cassation* offer an invaluable wealth of knowledge surrounding the court itself, much of which is not digitized. My time in Paris will overlap with Professor Mitchell Lasser, a leading comparative law scholar, and Cornell Law School professor, who will be there for the Cornell-Paris I Summer Institute, and I will contact him to discuss his work on comparative judicial deliberations and French and American legal traditions.

In regards to accommodation, I plan to rent a small studio apartment through Airbnb or seek accommodation through the Cité Internationale Universitaire de Paris (CIUP). I have experience finding accommodation in Paris through Airbnb and have also resided in the CIUP. I believe that I have the requisite experience to carry out this research independently in France. Having spent two semesters and a summer abroad in 2024, I gained extensive experience in an international environment, traveling solo, and being independent, all of which prepared me to conduct research in this manner. Further, I have spent extensive time in France, primarily in academic and language or cultural immersion contexts during the summer of 2021, the spring of 2022, the summer of 2024, and most recently, in the fall of 2024 with the WFU/Dijon program. I have also taken Research Methods in Linguistic Anthropology, and I am currently taking Political Science Research Methods, both of which have prepared and will further prepare me to utilize my proposed methods. Politics Research Methods will prepare me to utilize statistical

analysis in R, and Research Methods in Linguistic Anthropology has suitably prepared me to utilize AntConc for corpus linguistics and discourse analysis.

Given the highly globalized nature of the world and the current threat to globalization posed by increasing nationalism, it is crucial to further research and understand legal systems in a cross-cultural and cross-linguistic context. After European Integration and the creation of the EU and European Court of Justice, much research has been conducted on intra-European legal language and culture, while comparative trans-Atlantic (US-France) or Anglophone-Continental research has been relatively sparse or confined to comparative law. Thus, this research addresses the critical need for continuing cross-legal and cross-cultural understanding between two countries with a deep historical and political relationship. The findings of this research also can have practical implications for legal translation practices and judicial cooperation between civil and common law jurisdictions, both of which are ever more crucial in the current international context. This project is also directly related to my future academic and professional goals, where I wish to continue combining my language and law interests. I intend to apply for Fulbright and Marshall Grants to pursue a master's degree in Applied Linguistics in the United Kingdom. After that, I intend to pursue a JD/M1 international dual degree program through an American law school (Cornell or Columbia) and Université Paris 1 Panthéon-Sorbonne. Beyond academic and professional goals, living and researching in Paris will be an invaluable experience that would allow me to further immerse myself in French culture and the legal culture and tradition of France. I also plan to share this research with the broader Wake Forest community through URECA day and with peers in the Phi Alpha Delta Pre-Law Fraternity to hopefully inspire an interest in looking across cultures, especially in fields my peers are interested in, and a broader understanding of international legal traditions.

France has no current quarantine requirements or travel restrictions; however, having visited France during the summer of 2021 and spring of 2022, I have had experience with French quarantine and testing requirements and procedures when they were in effect and experience being in the city during large-scale protests and disruptions. If I cannot travel to France, I intend to do as much as possible with the project in the same manner described above and focus primarily on digital data collection. However, if this project were to only be entirely digital due to circumstances, it would be able to be conducted in a more limited manner that may have to focus on more recent time periods or change spatial units to look at another French-speaking civil law appellate or high court. While a majority of the data is accessible digitally, some of the opinion data and literature on French judicial style/form is only accessible in person at French libraries that hold legal archives and the Bibliothèque de la Cour de Cassation. Thus, if I need to adjust my travels away from Paris for any unforeseen reason, there are two potential backup locations in France and one location in Luxembourg: Strasbourg, the seat of the European Court of Human Rights; Dijon, the seat of one of the French Court of Appeals; and Luxembourg City, the seat of the European Court of Justice. These locations offer significant legal archives relating to high court opinions and project-related literature that would potentially be able to replace those of the *Cour de Cassation*.

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