

# Black language matters: A linguistic analysis

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A new scientific study reveals the critical role that dialect unfamiliarity and prejudice against speakers of African American Vernacular English [AAVE] and other non-standard dialects can play in the criminal justice system. The study, "Language and Linguistics on Trial: Hearing Vernacular Speakers in the Courtroom and Beyond," by John R. Rickford and Sharese King of Stanford University, was published in the December, 2016 issue of the scholarly journal *Language*.

In 2013, George Zimmerman went on trial for the murder of Trayvon Martin, in Florida. The testimony of Rachel Jeantel, an "ear-witness" who speaks AAVE, was critical to the prosecution's case, but it was castigated in the press and on social media, characterized as unintelligible and not credible by juror B37, and totally disregarded in jury deliberations.

This case, in which the vernacular, or non-standard dialect, of a key witness was essentially on trial, highlights an injustice that Linguistics could help to elucidate and alleviate. It is, as shown in this paper, not an isolated case. The authors document several other instances of mishearing or mis-transcription involving Aboriginal English speakers in Australia, Jamaican Creole speakers in the US and UK, Sierra Leone Krio speakers in New York, and AAVE-speaking defendants or witnesses in US jails and courts from the 1960s on.

Jeantel's involvement in the Zimmerman case is unique in the wealth of data it offers—nearly fifteen hours of recorded pre-trial depositions, courtroom testimony, and a subsequent TV appearance. This allows the authors to provide quantitative variationist analyses of several vernacular features, from her morphosyntax to her phonetics/phonology. Contrary to public opinion, her [language](#) is systematic and structured by internal constraints. Her usage matches that reported in classic AAVE studies from other US communities, with possible influences from Haitian

creole French and Anglophone Caribbean creoles.

Exactly how and why Jeantel's dialect proved problematic for jurors is complex. Reporters' mis-transcriptions, and experiments conducted in various US cities suggest that AAVE's distinctive pre-verbal tense-aspect markers may have been critical sources of cross-dialect mis-comprehension. As perception experiments and other data indicate, however, institutional racism and prejudicial attitudes against dialect speakers are also an important factor.

Mis-hearings and misjudgments of AAVE and other vernacular [speakers](#) have potentially devastating consequences in courtrooms, but also in other domains, like police encounters, class rooms, apartment hunting, and job interviews. The authors argue that vernacular varieties should matter more than they do in these public domains, and linguists can and should play a bigger role in explaining them, and advocating for reforms where necessary.

**More information:** A pre-print version of the article may be found at:

[http://www.linguisticsociety.org/sites/default/files/Rickford\\_92\\_4.pdf](http://www.linguisticsociety.org/sites/default/files/Rickford_92_4.pdf).

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