**KEYNOTE TALKS**

**LANGUAGE & LAW 2017**

**Prof. Vijay Kumar Bhatia**

**RECONCEPTUALISING TEACHING OF LEGAL COMMUNICATION:**

**INSIGHTS FROM CRITICAL GENRE THEORY**

**Abstract**

Legal communication is uniquely interdiscursive in nature, in the sense that most legal genres, share the same concerns and constraints in, and conventions of, legislative provisions, i.e., they are essentially meant to be clear, precise, unambiguous, and all-inclusive, whether we consider courtroom interactions, legal briefs, judgments, cases, court case documents, contracts and agreements, affidavits, or any other. However, the notion of interdiscursivity has rarely been exploited in the teaching and learning of legal communication. Drawing on the theory of critical genre as ‘interdiscursive performance’ (Bhatia, 2017) I would like to demonstrate how interdiscursivity can be exploited in academic and professional legal communication in pedagogical and training contexts.

**References:**

Bhatia, Vijay K., (2017). *Critical Genre Analysis: Investigating Interdiscursive Performance in Professional Contexts*, London, Routledge.

Professor Vijay Bhatia recently retired as Professor from City University of Hong Kong. He is now an Adjunct Professor, at the Chinese University of Hong Kong, and a Visiting Professor at the Hellenic American University in Athens (Greece). He is also the founding President of the LSP and Professional Communication Association for Asia-Pacific. Some of his research projects include *Analyzing Genre-bending in Corporate Disclosure Documents*, and *International Arbitration Practice: A Discourse Analytical Study*, in which he led research teams from more than 20 countries. His research interests include, (Critical) Genre Analysis of academic and professional discourses in legal, business, promotional, and in new media contexts; ESP and Professional Communication; simplification and easification of legal and other public documents. He has more than 150 publications to his credit. Three of his books, *Analysing Genre: Language Use in Professional Settings, Worlds of Written Discourse: A Genre-based View,* and *Critical Genre Analysis; Investigating Interdiscursive Performance in Professional Practice,* which has recently been published by Routledge, are widely used by researchers interested in genre theory and practice.

**Prof. Maurizio Gotti**

**GLOBALISING TRENDS AND DISCURSIVE CHANGES IN THE LEGAL FIELD**

**Abstract**

Nowadays legal texts are often subject to the pressures of globalisation operating upon contemporary legal systems. Indeed, in this context law is fast assuming an international perspective rather than remaining a purely domestic concern. However, in spite of the growing efforts of the international community to guarantee greater harmonisation in legislation and procedures, local constraints and specific cultural aspects still represent a relevant conditioning factor. Indeed, the formulation of legal norms is greatly conditioned not only by different juridical systems and drafting traditions, but also by specific linguistic features and socio-cultural aspects.

This is clearly visible in the normative texts in use in various contexts, which show discrepancies deriving not only from differing legal and cultural systems but also from the use of different linguistic codes. These issues are especially relevant in international trade, which often involves documents written in English but incorporating norms enacted by a non-English-speaking country.

Moreover, the need for all-inclusiveness implicit in the globalising process may at times result in some vagueness and indeterminacy in the wording of legal texts, mainly caused by the use of general terms conveying wide semantic values. As a result, their meaning in the context of those provisions is not as clear as expected.

This paper investigates the means whereby normative discourse is employed in different cultural, linguistic and legal environments; to illustrate this phenomenon, it mainly targets legislation on international arbitration, particularly that deriving from the Model Law on International Commercial Arbitration enacted by the United Nations Commission on International Trade Law to promote greater harmonisation in the field.

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**Dr John Olsson**

**FORENSIC LANGUAGE AND THE UNKNOWN**

**Abstract**

The author's theoretical linguistic interests lie in understanding the structure and construction of individual identity and how this is realised through language, while his practical forensic linguistic interests lie in developing techniques of authorship attribution. Whilst it may not be possible to entirely reconcile these pursuits in one paper, this will nevertheless be attempted, beginning with an outline of several contemporary approaches to authorship (a brief literature review), mainly in order to give the audience an overview of how forensic authorship has developed in the 25 or so years it has been practised in the courts, principally in the United Kingdom. Data from actual criminal cases will be given. The discussion will then broaden out, showing that, in fact, authorship attribution needs to fit within a humanistic, epistemological framework which necessarily includes the need to study the structure of individual identity (identities - Labov) and its realisation through language, relying on work by, inter alia, Foucault, Barthes, Bakhtin and Kristeva. The factors which promote or restrict individual expression in authorship will also be considered, in particular Kristeva's notion of intertextuality and Bakhtin's concepts of centrifugal and centripetal forces acting on language. Finally, a linguistic theory of 'range of variation' will be advanced which gives insight into individual variation on the one hand, and the influence of social forces on the other.

**References:**

Nini, A. & T. Grant. 2013. Bridging the gap between stylistic and cognitive approaches to authorship analysis using Systemic Functional Linguistics and multidimensional analysis. *International Journal of Speech Language and the Law*, Vol 20, No 2.

Zhang S. 2016. Authorship attribution and feature testing for Chinese short emails. *International Journal of Speech Language and the Law*, Vol 23, No 1.

McMenamin, G.R. 2001. Style markers in authorship studies. *International Journal of Speech Language and the Law*, Vol 8, No 2.

Grant, T. 2007. Quantifying evidence in forensic authorship analysis. *International Journal of Speech, Language & the Law.* Vol.14, No 1.

Olsson, J. & J. Luchjenbroers. 2013. *Forensic Linguistics*. London: Bloomsbury Publishing.

Dr John Olsson is the director of the Forensic Linguistic Institute and a lecturer in the Forensic Linguistics in the School of Law, Bangor University, North Wales. He has been practising as an independent forensic linguistics expert since 1994. He has worked on murder, suspicious death, terrorism, product contamination, witness intimidation, blackmail, fraud, sexual assault, armed robbery, money laundering, gang violence and narcotics investigations and has analysed all kinds of texts including ransom notes, suicide texts, threat texts, cell phone text messages and language in other electronic media. In all he has written over 450 reports for police services and law enforcement agencies, lawyers and private clients and has published widely, and has presented at conferences in several countries. In addition, Dr Olsson is a barrister (non-practising) and frequently attends court to observe the law in action.