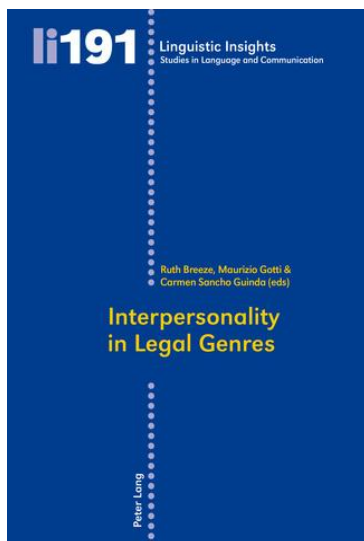


## BOOK REVIEW

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### INVESTIGATING THE NEGLECTED ROLE OF INTERPERSONALITY IN LEGAL COMMUNICATION

**Ruth Breeze, Maurizio Gotti and  
Carmen Sancho Guinda (Eds.).**

INTERPERSONALITY IN LEGAL GENRES  
(2014), Bern: Peter Lang. 393 pp., ISBN 978-3-  
0343-1524-1 (PB).

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In the last ten years or so, a new interdiscipline connected to the study of legal communication has been emerging. Under the name of Legal Linguistics, the interdiscipline is being established in the space between law, linguistics, rhetoric, anthropology and sociology (Cederstrøm, Engberg, & Kjær, 2015; Engberg, 2013; Engberg & Kjær, 2011). Salmi-Tolonen (2013: 275) has characterized the emerging discipline in the following way, focusing especially upon the contribution of linguistics proper:

Legal linguistics studies law with linguistic methods and the outcome of the studies can help legal scientists and legal practitioners do and understand their work better through an increased understanding of how language works in general and in legal domains in particular.

The position of the interdiscipline at the interface between different disciplines with a focus upon the law and its communication is especially visible in the fact that Legal Linguistics aims at making legal specialists understand their own practice better by observing and describing it through the lenses of the other disciplines. Thus, the idea is to apply methods and ways of analysis foreign to law as such in order to deepen the insights into legal communicative practices.

Although the book under review does not explicitly position itself inside the framework of Legal Linguistics, I would definitely see it as a good example of work relevant to this emerging interdisciplinary.

The book is an edited collection of contributions investigating different genres from the field of law. In these years, a number of broad publications on different aspects of language and law emerge from a fairly high number of conferences on the topic of language and law. Such books tend to have the concept of language in law in general at their center and as the common denominator. The present volume constitutes a healthy deviation from this tradition. Instead, it selects the concept of interpersonality as the focus of the book, to which all chapters relate. The concept is well chosen, as it meets exactly the criterion established by Salmi-Tolonen presented above. As mentioned by some of the authors, in the traditional legal view of texts central to the legal practice like statutes, contracts and decisions the fact that texts are always part of communicative situations involving persons as different types of actors plays no central role in the theoretical discussion. Pragmatically oriented linguistics, however, emphasizes the role of persons in any kind of human communication and offers a broad range of methods relevant to investigating these roles also in a law context. In this way, the contributions and the book as such may serve to help legal practitioners understand better the type of communication their professional practice is involved in.

The editors of the volume see interpersonality as consisting mainly of the two concepts: *stance* and *engagement*. The first concept catches the aspect that writers present their own position towards the topics treated in the texts. It thus makes it clear that legal texts have writers with specific goals and positions. The second concept catches the aspect of intending to influence other parties in the communicative situation. Here it gets clear that legal texts are directed towards other persons. In both cases, the analyses are about demonstrating that the depersonalized view of legal texts and the communication they are part of may not be sustained. Thus, the chapters in the book show the effects of looking at legal texts as regular texts playing parts in normal human communication. This does not challenge the specialty of these texts and genres; but it renders a fuller picture of the texts and genres in their legal context.

The contributors cover widely the scene of profiled scholars investigating legal communication in English at Spanish and Italian universities, supplemented by a few researchers with a different background. The book thus reflects the fact that universities in these countries have been very active and successful in generating studies in this field. Contributions are basically structured according to the following three different situation types of relevance to legal communication:

- **Interaction among legal experts** (Davide Mazzi: *"The words are plain and clear ...": On interpersonal positioning in the discourse of judicial interpretation*; Tarja Salmi-Tolonen: *Interpersonality and fundamental rights*; María Ángeles

Orts Llopis: *Contractual Commitment or obligation? The linguistic interactions in charter parties*; Michele Sala: *Interpersonal and interactional markers in legal research articles*; Christoph A. Haffner: *Stance in a professional legal genre: The barrister's opinion*.

- **Interaction between legal experts and mixed audiences (experts and lay people):** Vijay K. Bhatia: *Interpersonal constraints in statutory writing*; Carmen Sancho Guinda: *Engagement in NTSB decisions on aviation case appeals*; Christopher Williams: *Interpersonality in legislative drafting guides and manuals: The case of the Scottish government publication*; Ignacio Vázquez-Orta: *Exploring the interplay between discursive and professional practices in domain name arbitration awards*; Ismael Arinas Pellón: *Interpersonal patent relations: Persuasion pointers to novelty, creativity, and ownership in U.S. patent property claiming*.
- **Interaction between legal experts and lay people:** Ruth Breeze: *The discursive construction of professional relationships through the legal letter of advice*; Maurizio Gotti: *Interpersonality in mediation discourse*; Patrizia Anesa: *The realization of interpersonality features in jury instructions*; Isabel Corona: *The management of conflict: Arbitration in corporate e-releases*.

Genres covered are mainly from the field of contracts, statutes (in a wide sense, including EU directives), and decisions (again, in a wide sense, including arbitration awards and decisions from specialized boards like the National Transportation Safety Board, NTSB). However, the volume also includes less prototypical genres like patents, oral mediation discourse, letters of advice to clients as well as to other lawyers, and corporate press releases about arbitration process results.

Reading through the volume renders a good overview over different problems connected to interpersonality that may be relevantly addressed in legal communication in English. The most prominent reason for editing the volume, viz., that the treated genres are traditionally not seen as characterized by features of interpersonality, is strongest in the genres treated in the two first sections of the book. Especially the aspect of engagement is more prominent, also in traditional work by legal scholars, when we talk about giving advice to clients, instructing juries or when carrying out mediation between non-lawyers. However, even studies of such communication carried out by non-linguists tend to overlook somewhat the interpersonal aspect, whereas linguistic methods are able to focus on this aspect directly. Furthermore, to include these communicative situation types enables the reader to see that it is relevant to conceptualize the relation between interpersonality and legal communication as scalar: interpersonality is always a relevant characteristic, but it is more prominent in some situation types than in others. Relevant factors are the constellation of relations between the communicative parties and the central function. The more important the knowledge asymmetries are and the more important the function of persuasion is, the more important the interpersonal aspect.

The edited volume is a highly recommendable read for everyone with an interest in knowing the state of the art in pragmatic studies of legal communication from the point of view of genres and for everyone interested in methods relevant to Legal Linguistics.

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