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PARATEXTUAL PRESENCES: FOOTNOTES IN U.S. AVIATION-CASE APPEALS

Abstract

This corpus-based study explores the role of footnotes in the legal decisions on aviation-case appeals issued by the U.S. National Transportation Safety Board (NTSB). The manual and computerized scrutiny of the 34 samples disseminated online by the Board during 2012 shows that footnotes are engagement devices aligning with expert and lay readers and fulfilling a wide range of functions. Ideationally, they support the legal argument exposed in the in-text, either by providing detail and summaries of previous and current proceedings or by introducing subtopics. Interpersonally, they mark subjective stance, give voice to different communities of practice, act as resources of strategic politeness, and brand the NTSB institution according to the Freedom of Information Act's ideology. As predicted, argumentative appeals contain the most footnotes and citations within them, the latter being invariably non-authorial and on the whole non-integral and non-factive. Their metadiscursive quality of asides, conveyors of shared knowledge, directives, endophorics and glosses, as well as their value as membership indicators, justify the conception of footnotes as convergence spaces of proximity (compliance with expert communal conventions) and positioning (deferential attitude towards outsiders).

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Key words

judicial decisions, paratext, footnotes, citation, NTSB, interpersonality.

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