

Critical Discursive Performance in Professional Legal Contexts

ABSTRACT

Discourse as performance is almost inseparable from law in all its contexts, whether academic or professional. Analysis of legal discourse has focused largely on the discursive practices of legal academics, lawyers in practice, legislative draftsmen, and specialists in forensic linguistics. In all these analyses somehow the focus has always been on the discursive output, written as well as spoken, of these specialists. In more recent years, there has also been some attention paid to the discursive practices of international commercial arbitrators. However, very little effort has been invested in studying critical performance in legal and arbitration practices as distinct from discursive practice. In this presentation I would like to develop some of the critical aspects of genre theory to study discursive performance as a resource for the study of legal practice in all its manifestations, drawing on the notion of interdiscursivity in critical genre theory (Bhatia, 2004, 2008, 2010) in order to demystify discursive performance in legal practice.

References

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