

# Islamic Veiling In Legal Discourse

Metaphor in Legal Discourse Legal Discourse The Pragmatic Turn in Law Language and Law in Professional Discourse The Public in Law Meaning in Legal Discourse The Semiotics of Law in Legal Education The (Ab) Use of Language in Legal Discourse Word of the Law The Context and Media of Legal Discourse Rules Versus Relationships The Public in Law Legal Discourse Across Languages and Cultures Identity, Language and the Use of Categories in Legal Discourse Tradition and Change in Legal English Constructing Legal Discourses and Social Practices Meaning and Power in the Language of Law Semiotics of International Law Academic Legal Discourse and Analysis Ratio and Voluntas Inesa Šeškauskienė Peter Goodrich Janet Giltrow Vijay K. Bhatia Cláudio Michelon Nanette L. Wichman Jan M. Broekman Anne Wagner D.R. Klinck Girolamo Tessuto John M. Conley Maurizio Gotti Kimberly Anne Demarchi Christopher Williams Girolamo Tessuto Janny H. C. Leung Evandro Menezes de Carvalho Marta Baffy Kaarlo Tuori

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this book explores different aspects of metaphoricity in legal discourse from court proceedings and written

institutionalised texts to judges argumentation and in spoken records among others it brings together linguists and law professionals from six different countries to investigate metaphor as a conceptual phenomenon accessible through language and more specifically through actual linguistic contexts of use

in legal interpretation where does meaning come from law is made from language yet law unlike other language related disciplines has not so far experienced its pragmatic turn towards inference and the construction of meaning this book investigates to what extent a pragmatically based view of linguistic and legal interpretation can lead to new theoretical views for law and in addition to practical consequences in legal decision making with its traditional emphasis on the letter of the law and the immutable stability of a text as legal foundation law has been slow to take the pragmatic perspective namely the language user's experience and activity in making meaning more accustomed to literal than to pragmatic notions of meaning that is in the text rather than constructed by speakers and hearers the disciplines of law may be culturally resistant to the pragmatic turn by bringing together the different but complementary perspectives of pragmaticians and lawyers this book addresses the issue of to what extent legal meaning can be productively analysed as deriving from resources beyond the text beyond the letter of the law this collection revisits the feasibility of the notion of literal meaning for legal interpretation and at the same time the feasibility of pragmatic meaning for law can explications of pragmatic meaning support court actions in the same way concepts of literal meaning have traditionally supported statutory interpretations and court judgements what are the consequences of a user based view of language for the law in both its practices of interpretation and its definition of itself as a field readers will find in this collection means of approaching such questions and promising routes for inquiry into the genre and field specific characteristics of inference in law in many respects the problem of literal vs pragmatic meaning confined to the text vs reaching beyond it will appear to parallel the dichotomy in law between textualism and intentionalism there are indeed illuminating connections between the pair of linguistic terms and the more publicly controversial legal ones but the parallel is not exact and the linguistic dichotomy is in any case anterior to the legal one even as linguistic pragmatic investigation may serve legal domains the legal questions themselves point back to central conditions of all linguistic meaning

this book provides insights into the ways in which legal professionals participate in their day to day activities and critically focuses on how language is used and exploited in everyday professional discourse it is organised into two parts dealing with topic areas of legal discourse written and spoken relevant to professional practice and communication the innovative research landscape offered by this book covers diverse and complex features of legal discourse construction where socially informed aspects of language use are negotiated by professional practices such features provide the wide scope for the critical study of legal language as a tool for social action and set up a descriptive and interpretive framework for engaging with representations of legal discourses and genres where authority power ideology as well as areas of hybridity intertextuality interdiscursivity and recontextualization are involved in legal discourse this book brings together scholars from a wide academic spectrum around the globe with an interest in the intricacies of language and law as they play out in the real world the book therefore offers both a resource and a stimulus to the wider readership

this collection brings together a group of scholars to discuss the operation of the public in a range of different legal illegal and alegal spaces it asks whether and in what manner the public operates as an interface between law and society this volume reflects an understanding that there is more to the role of the public in relation to law than the conventional demarcation of the field of public law and that this relationship is open to comment from a wide range of actors

this book offers educational experiences including reflections and the resulting essays from the roberta kevelson seminar on law and semiotics held during 2008 2011 at penn state university s dickinson school of law the texts address educational aspects of law that require attention and that also are issues in traditional jurisprudence and legal theory the book introduces education in legal semiotics as it evolves in a legal curriculum specific semiotic concepts such as sign symbol or legal language demonstrate how a lawyer s professionally important tasks of name giving and meaning giving are seldom completely understood by lawyers or laypeople these concepts require analyses of considerable depth to understand the expressiveness of these legal names and meanings and to understand how lawyers can say the law or urge such a saying correctly and effectively in the context of a natural language that is understandable to all of

us the book brings together the structure of the seminar its foundational philosophical problems the specifics of legal history and the semiotics of the legal system with specific themes such as gender family law and business law

this volume provides new insights into the diverse and complex contexts of legal discourse and activity performed across a variety of socially and culturally informed digital media transformations it addresses topical issues of legal discourse performed by mediated technologies and social media usage in professional and institutional contexts of communication its analyses rely on specific perspectives varied applications and different methodological procedures providing a multifaceted overview of ongoing research and knowledge in the field

in rules versus relationships john m conley and william m o barr examine the experiences of litigants seeking redress of everyday difficulties through the small claims courts of the american legal system the authors find two major and contrasting ways in which litigants formulate and express their problems in terms of specific rule violations and seek concrete legal remedies that would mend soured relationships and respond to their personal and social needs

the chapters constituting this volume focus on legal language seen from cross cultural perspectives a topic which brings together two areas of research that have burgeoned in recent years i e legal linguistics and intercultural studies reflecting the rapidly changing multifaceted world in which legal institutions and cultural national identities interact within the broad thematic leitmotif of this volume it has been possible to identify two major strands legal discourse across languages on the one hand and legal discourse across cultures on the other of course labels of this kind are adopted partly as a matter of convenience and it could be argued that any paper dealing with legal discourse across languages inevitably has to do with legal discourse across cultures but a closer inspection of the papers comprising each of these two strands reveals that there is a coherent logic behind the choice of labels all seven chapters in the first section are concerned with legal topics where more than one language is at stake whereas all seven chapters in the second section are concerned with legal topics where cultural differences are brought to the fore

in this volume the author examines verbal constructions in prescriptive legal texts written in english modal auxiliaries such as shall may and must are analysed as well as indicative tenses such as the present simple and also non finite constructions such as the ing form and ed participles results are based on specially compiled corpora of prescriptive texts coming from a wide range of english speaking countries and also international organizations such as the european union and the un the author also analyses the nature extent and impact of the calls for change in legal language coming from the plain language movement although legal language tends to be depicted as being highly conservative and unchanging the author shows that in certain parts of the english speaking world a minor revolution would appear to be taking place while in other parts there is greater resistance to change

over recent decades legal language and its representation of social action social actors and social practices have provided systematic insights into the meaning and function of text discourse or talk realised in academic professional and institutional sites of communication and generated a variety of data for analysis method and theory constructing legal discourses and social practices the first issue of the legal discourse and communication international series looks descriptively and interpretatively at the realised forms of legal discourse and how these are framed and organised by social practices within distinctive sites of legal communication the four main parts of the book provide a broad coverage of key issues and perspectives arising from a variety of genres spoken as well as written employed in institutional professional and organisational communication of the law and bring into focus recent research where language and law play out in the real world this invaluable book is multi dimensional and multi perspectival in its design and implementation and will be an essential reference for those researching and working in the areas of applied linguistics and for postgraduate students

a new perspective on how far law s power derives from socially situated communication rather than from abstract rules

language carries more than meanings language conveys a means of conceiving the world in this sense national legal systems expressed through national languages organize the law based on their own

understanding of reality international law becomes in this context the meeting point where different legal cultures and different views of world intersect the diversity of languages and legal systems can enrich the possibilities of understanding and developing international law but it can also represent an instability and unsafety factor to the international scenario this multilegal system and multilingual scenario adds to the complexity of international law and poses new challenges one of them is legal translation which is a field of knowledge and professional skill that has not been the subject of theoretical thinking on the part of legal scholars how to negotiate draft or interpret an international treaty that mirrors what the parties who belong to different legal cultures and who on many occasions speak different mother tongues want or wanted to say by analyzing the decision making process and the legal discourse adopted by the wto s appellate body this book highlights the active role of language in diplomatic negotiations and in interpreting international law in addition it also shows that the debate on the effectiveness and legitimacy of international law cannot be separated from the linguistic issue

this book introduces international students to the characteristics of legal education in the united states and helps them develop the linguistic analytical and cultural skills to thrive at a u s law school part i focuses on the academic legal writing skills needed to write in law school it guides students in reviewing their own writing skills and helps them to adapt to the conventions of academic legal writing at the whole text paragraph and sentence levels it also gives students guidance in effectively presenting their ideas in writing so that a reader can quickly grasp their reasoning and meaning part ii introduces students to common law and legal analysis following a brief introduction to the u s legal system the book focuses on the skills required to read discuss and write about legal cases in a u s law class cases in torts and criminal procedure law provide an opportunity to apply these skills while also teaching high frequency legal vocabulary throughout the book students can read clear and concise explanations and practice the skills they are acquiring with detailed practice exercises professors and students will benefit from clear explanations of academic legal writing expected of law students on written assignments such as exams and papers straightforward definitions and explanations about how the common law system in the u s works guidelines and practice in reading discussing and writing about legal cases authentic tasks and exercises for all key concepts

from the ancient beginnings of western legal tradition law has been conceived as traversed by a fundamental tension between power will and reason this volume examines the tension between these two poles ratio and voluntas in modern law part i focuses on three instructive phases in the history of the law s ratio part ii examines the way legal scholarship especially doctrinal research legal dogmatics can and should contribute to the law s coherence part iii explores the role of constitutional law in managing the tension between law s voluntas and ratio the final chapter discusses the implications the growth of transnational law may have on the relationship between ratio and voluntas the study builds on the views of the distinctive features of the ideal typical mature modern legal system as presented in the author s previous work critical legal positivism ashgate 2002

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