Authoritative Intervention and (In)directness in Legal Discourse: A Genre-based Study of Judgements and Arbitration Awards
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It is generally accepted that professional genres are better understood and analysed in terms of the professional practices that they invariably co-construct in specific contexts; however, in ESP literature genres are often analysed in isolation, thus undervaluing the role and function of interdiscursivity in professional genres. In this paper two legal genres that are the ultimate outcomes of litigation and arbitration (judgments and arbitrations awards) are compared, taking into consideration text-external factors, such as the traditional legal role of judges and the newer alternative role of arbitrators.

Following Bhatia’s multidimensional and multi-perspective model of analysis (Bhatia 2004, 2008), it is argued that both genres can best be described and explained in terms of judges’ and arbitrators’ institutional positioning in both genres, constituted by their linguistic and discursive practices, and distinguished in terms of the degree of authoritative stance, and the kinds of directness and indirectness expressed. This final aspect is investigated by drawing attention to the frequency of use and function of interactional devices, such as hedges and boosters, in a small sample of arbitration awards and judgments.

Key words: Genre, judgements, arbitration awards, interdiscursivity, hedges, boosters, authoritative positioning