

### **In search of legal socio–pragmatics: three disciplines in one?**

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The idea of interdisciplinarity has been permeating linguistics for some time now. It has been especially prominent in the disciplines representing the functional paradigm, like pragmatics, sociolinguistics, or discourse analysis, cf. Verschueren (1999: 6ff). The present paper is a contribution to a search of an interface between these areas of linguistics and an area outside linguistics, i.e. the law. The question to be addressed here concerns the possibility of establishing a common platform between sociolinguistics, pragmatics, and the law.

The underlying assumption of the present analysis is that the verbal interaction going on in court, i.e. court trial discourse, shares many characteristics with colloquial language. In other words, even though court trial records are written accounts of a spoken performance, they preserve certain traces of orality, like the use of performatives, forms of address, or discourse markers. All these characteristics make court trial records worth exploring for a pragmaticist. Moreover, in an analysis of court trial records taken in a particular socio–cultural context, certain sociolinguistic phenomena have to be taken into account, like the social roles of the participants of a court trial, the power relations between them, or the socio–historical setting of the trial. Finally, the discourse going on in court would certainly be of interest to a discourse analyst, and this is where the three areas of linguistics (pragmatics, sociolinguistics and discourse analysis) meet the law and a search for an interface is called for.

If one considers the above factors on a synchronic level of analysis and focuses on contemporary court trial records, the task is much easier than performing it diachronically, i.e. analysing the socio–pragmatic characteristics of old court trial records coming from earlier historical periods. The present paper shows that despite the problems with what Labov (1994: 10ff) calls "bad data" (i.e. historical materials as potential sources of information about how language was used in the past), the traces of orality in old court trial records can be retrieved. It has been confirmed in numerous studies conducted within the new discipline of diachronic pragmatics (cf. the references in Kryk–Kastovsky 2002: 205f) that old language materials are rich sources of data on language spoken in the past and it is old court trial records which are

particularly resourceful in this respect. On the basis of the data from selected Early Modern English court trial records it will be shown in this paper how pragmatics, sociolinguistics and discourse analysis meet the law in a new interface amalgam called court trial discourse.

#### References:

Labov, W. 1994. *Principles of linguistic change*. Oxford: Blackwell.

Verschueren, J. 1999. *Understanding pragmatics*. London: Arnold.