

**Sprache und Medialität des Rechts**  
**Language and Media of Law**

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**Band 2**

**Legal Linguistics Beyond Borders:  
Language and Law in a World  
of Media, Globalisation and  
Social Conflicts**

**Relaunching the International Language and  
Law Association (ILLA)**

**Edited by  
Friedemann Vogel**



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Herausgegeben von

Ralph Christensen und  
Friedemann Vogel

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# Legal Linguistics in Italy

By *Gianluca Pontrandolfo*, Trieste<sup>1</sup>

## Abstract

The aim of this chapter is to provide an overview of the interdisciplinary academic field of legal linguistics in Italy. More specifically, it traces the evolution of this branch in this country with a practical approach, that is to say, mapping the bibliographic scenario that constitutes the whole body of research in Italian legal linguistics. The paper is structured in six core sections. After an introduction to law and language, it provides an overview of the main fields of research in Italy, the most important research activities, the academic situation and the editorial panorama, and a final overview that takes stock of the research map. The results of this brief scrutiny confirm that legal linguistics is an established and increasingly growing field of research in Italy and that a gradual move is now taking place from the historical and traditional studies on the typical traits of legal language into a more interdisciplinary area of research in which the notion of legal genre and the contribution of computer-assisted methods become crucial.

Keywords: legal linguistics, law and language, research, didactics, research groups, Italy

## I. Introduction

“Law does not need language but it is language itself” (Cortelazzo 1997: 39). This famous quote from the renowned Italian scholar Michele Cortelazzo, constantly referred to in many papers dealing with legal language (it. *linguaggio giuridico* or *lingua del diritto*), stresses the pivotal role played by language as a vehicle for this central area of our lives; the language allows the transmission, interpretation and enforcement of the legal acts, it is the tool of the trade of legal experts and its importance in the legal field is paramount compared to other *languages for special purposes* (LSP). While this statement has never been questioned so far, it is true that only recently citizens, state administrations and legal operators have demonstrated a renewed interest in language, with a particular attention to the understanding and communicative efficacy of legal texts.

The branch of legal linguistics (it. *linguistica giuridica*), conceived as an interdisciplinary area in which law and language communicate and share research objects,

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<sup>1</sup> This chapter is partially framed within the project entitled “Discurso jurídico y claridad comunicativa. Análisis contrastivo de sentencias españolas y de sentencias en español del Tribunal de Justicia de la Unión Europea” (FFI2015-70332-P), financed by the Spanish *Ministerio de Economía y Competitividad* and FEDER funds (Principal investigator: Prof. Estrella Montolío Durán, *Universitat de Barcelona*).



has been increasingly gaining attention in Italy over the last sixty years, and today it can be considered a full-blown sub-field of Italian linguistics.

The present chapter traces the evolution of this branch in Italy by guiding any person interested in legal linguistics to move smoothly among the different subfields of research that now make up this academic discipline. The references quoted in the text are conceived as a tentative map, as it would be virtually impossible to quote every single study carried out in our country.

## II. Research in Italian Legal Linguistics

Legal linguistics has been the subject of extensive research in Italy. Many scholars from different backgrounds have explored the intersections of *language* and *law* and have even gone beyond them, recognising its close connection with many other neighboring fields (political science, sociology, philosophy, etc.).

Trying to map the historical and recent research in legal linguistics in Italy is not an easy task, due to the vast literature produced in the last decades. An excellent bibliographic map of the research carried out on legal Italian has been drawn up by Dario Mantovani (University of Pavia)<sup>2</sup>, who has drafted a complete bibliographical overview of the wide array of perspectives with which law and language have been and are being explored in time in Italy. A more general approach is also provided in Barbera et al. (2014), who trace the main trajectories on legal linguistics, focusing especially on recent methods like corpus linguistics.

The aim of this section is to underline some of the research areas that have received attention over the last sixty years. In order to map the field with a systematic approach, the outputs produced in this interdisciplinary area have been classified into seven main groups, which reflect how legal linguistics has evolved in Italy and where it is heading. It is obvious that it is not possible to cover all research on legal linguistics and legal language, and that the studies mentioned may pertain to more than one group due to the inner interdisciplinarity characterising this research, so the borders of each area need to be considered as flexible limits.

### 1. Early studies on Italian legal language

Early studies on law and language in Italy centered around the historical and sociological profiles of legal language (see: De Mauro 1986) and tended to concentrate on legislative texts (De Mauro 1963; Fiorelli 1994). The merit of these early studies has been providing a first general overview of the typical traits of legal language (Lumia 1992) that distinguished it from general language. The studies carried out in these years have been instrumental to the following descriptive research on legal language and its history.

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<sup>2</sup> <http://lalinguadeldiritto.unipv.it/bibliografia.html> (03/11/2018).

## 2. Studies on the simplification of legalese

One of the first academic fields of research on the binomial law and language concerned the simplification of legal and administrative language. Simplification of legal language (or *legalese*) is one of the most fashionable topics that has been gaining attention throughout the last forty years, also due to the inner interdisciplinary aspects related to the task itself, which inevitably requires synergies between legal and linguistic experts. The need to draw citizens closer to legal and institutional texts is now a global trend that has been translated worldwide into a huge number of initiatives. One of the first attempts dates back to the 1970s and was carried out in the Anglophone countries within the framework of the so-called *Plain Language Movement* (see: Mattila 2013: 328–331), whereas most recent initiatives can be traced both at a supranational level by the European Union (see the campaign “Write Clearly”/“Fight the Fog”) and at national and federal levels. Many governments, public institutions, bodies and scholars from different traditions have staked heavily on plain language.

The need for accessibility (*the right to understand and be understood*) lied at the heart of many studies developed in Italy. Even though there is no specific target as *legalese* tends to characterise every legal genre, in Italy, the simplification programmes<sup>3</sup> have tended target to legislative/normative texts, especially bureaucratic ones (the so-called *burocratese*). Since the famous public attack by the novelist Italo Calvino (1965/1995) against the *anti-language*<sup>4</sup>, epitomising the debate about the (complicated) language used by institutions with citizens, a number of Italian scholars have reflected upon legislative writing, trying to propose guidelines for simplifying legalese. Worth mentioning is the 1993 *Stylistic Code of written communications for the public administration*, followed by the *Style manual* edited by Fioritto (1997). Extensive research carried out by Michele Cortelazzo (University of Padova) focuses on legislative drafting and good practices (see: Cortelazzo / Pellegrino 2003); his portal<sup>5</sup> represents a point of reference for any scholar interested in clear and simple administrative language. This area has always been characterised by a practical approach: Scholars have been involved in proposing guidelines to improve the readability of Italian legal (administrative) texts.

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<sup>3</sup> Most of the guidelines and manuals available to this day concentrate on administrative language (Fioritto 1997; Cortelazzo / Pellegrino 2003; ITTIG / Accademia della Crusca 2011), with some exceptions focusing on legislative writing (e.g. Pattaro / Sartor / Capelli 1997; the “Circolare n. 1/1.1.26/10888/9.92” of 2 May 2001; the 2007 “Regole e suggerimenti per la redazione dei testi normative” supported by the Italian Interregional Legislative Observatory), together with some important theoretical studies (among others: Libertini 2012; Zaccaria 2012).

<sup>4</sup> [http://www.matteoviale.it/biblioteche/antologia/ant\\_calvino.html](http://www.matteoviale.it/biblioteche/antologia/ant_calvino.html) (03/11/2018).

<sup>5</sup> <http://www.maldura.unipd.it/buro/> (03/11/2018).

### 3. *Legal language as LSP: features and genres*

When conceived as a language of special purpose, legal Italian is a diaphasic and diastratic variety. The study of legal Italian as LSP has been undertaken by scholars with an expertise in text linguistics and pragmatics (but also in sociolinguistics), who have been interested in the features that distinguish it from other LSP (medicine, economics, politics, etc.), ranging from the micro-textual level (lexical and terminological, morphosyntactic, phraseological features) to the macro-textual dimension (e. g. rhetorical moves). This strand of research tends to focus on the single text-types (expositive, informative, regulative, argumentative, narrative) and genres (normative, interpretative and applied texts).

Among the studies dealing with the general traits of legal language, it is worth mentioning the seminal book by Mortara Garavelli (2001), one of the first studies of the *words of the law* in Italy<sup>6</sup>. The typical features of legal Italian had already been mentioned in earlier studies by Scarpelli / Di Lucia (1994) and Cortelazzo (1997). Another overview of the main features of this LSP is provided by Ondelli (2007) and later by Garzone / Santulli (2008); both contributions underlined the key role of texts/genres in the description of legal language(s). The idea behind these earlier studies is that there is no single *legal language* but many *languages* according to the types of genres, and each variety has its own typical traits.

As far as the research on texts is concerned, Italian scholars have been investigating different genres of legal texts over the last sixty years.

Particularly relevant for the impact it had on legal linguistics is the strand of research dealing with *normative or legislative texts*, which has significantly contributed to the description and understanding of legal Italian. Scholars have devoted attention to the language of Italian laws/acts (*leggi*) (see among others: Sabatini 1998, 2005; Marchesiello 2013; Viale 2014) as well as to the language of national Codes (e. g. Civil Code, Belvedere 1994; Criminal Code of Procedure, Cortelazzo 2001). The Italian Constitution has also been studied by some Italian famous linguists (De Mauro 1998; Mortara Garavelli 2011) but also legal experts (e. g. Silvestri 1989).

*Judicial texts* have also been explored with a strong focus on texts produced within civil and criminal proceedings, especially judgments. Indeed, the linguistic and discursive features of Italian judgments have been widely investigated by many scholars who have provided a detailed profile of this judicial genre, which is one of the most studied genres in Italy (among others: Santulli 2008; Garavelli 2010; Ondelli 2012; Dell'Anna 2013).

*Notary texts* (contracts and wills/testaments) have received less attention compared to the other legal genres (among the exceptions see Mortara Garavelli (2006) on notarial deeds, Visconti (2013) on contracts).

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<sup>6</sup> A good and brief introduction to the essential features of Italian legal language is found in Serianni (2003) (Chapter 8).

Finally, *administrative and bureaucratic genres*, generally targeted as texts needing simplification (see II.2.), have been studied by a well-fed group of Italian scholars, who have focused on texts produced by public administrations, addressed to single persons or to the public in general, and aimed at communicating some legal acts or actions (see among others: Viale 2008; Cortelazzo 2014; Lubello 2014).

#### 4. *Theories of legal linguistics: philosophy, semantics, sociolinguistics*

Many theoretical and philosophical studies focused on legal language and especially on normative texts. Studies on the relationship between law and language in this area have always been characterised by the insights of analytical philosophy. At the beginning of the sixties, scholars of philosophy of language began to investigate legal speech acts and deontic logic based on seminal works by Austin (1962) and Searle (1969). This strand of research was framed within legal semiotics (the study of law as a set of signs), and the contributions of the scholars working in this area tended to concentrate on the semantics and pragmatics of legal language (Scarpelli 1969; Conte 1989, 1994, 2001). As pointed out by Mantovani in his overview (see footnote 3), these theoretical and philosophical studies differ from other studies because they are not focused on a specific natural language (say legal Italian), but on structures and universal features of legal language. In her edited volume of 2010 on the language of law, Visconti provides an overview of interdisciplinary perspectives, ranging from the role of custom law (Sacco 2010) to the vagueness of norms (Luzzati 1990), from problems of interpretation (Chiassoni 2010; Guastini 2010) to the concept of legal act (Di Lucia 2010).

In this line of research, it is also worth mentioning the sociolinguistic and pragmatic studies carried out in the field of judicial rhetoric, as the extensive research carried out by Patrizia Bellucci (see: LALIGI in III.1.; Orletti / Mariottini 2017).

#### 5. *Legal translation theory and comparative law*

In the second half of the XIX century, the philosophical and hermeneutical reflection shed light on the historical relationship between linguistic expressions and legal objects, thus contributing to the development of an interesting body of research dealing with the techniques of linguistic transposition of legal concept from one language/culture to another (see: Cavagnoli / Ioratti Ferrari 2009). The categorisation of legal objects and the comparison of legal institutes and concepts have been the research object of many scholars, the majority of them legal experts (law scholars), who studied legal translation theory from the perspective of comparative law.

Seminal works by Rodolfo Sacco (1992, 1994) or Barbara Pozzo (University of Insubria) (Pozzo / Timoteo 2008) helped legal linguists to get a better understanding on how legal systems work (Gambaro / Sacco 1996; Ajani 2006) and how legal translators can approach legal texts (see: Frosini 1992).

This research field, which lies at the intersection of contrastive linguistics and legal translation studies, is nowadays a productive area for many comparative lawyers<sup>7</sup>, who are widening the research interests of many Italian scholars interested in legal linguistics.

### 6. *Legal discourse and stylistics*

An interesting field of research in Italy has been focusing on the discursive and pragmatic features of specific genres. The study of language in context has proved to be particularly fruitful, especially from a contrastive perspective. An example among others is the study of legal discourse markers as a textual feature distinguishing legal texts from other general and technical texts. A remarkable example is the study conducted by Jaqueline Visconti (University of Genova) in 2000. Framed within the area of legal lexical semantics, Visconti analysed the areas of similarity and differences between English and Italian conditional discourse markers (e.g. *dato che*, *a patto che*, *qualora*, etc.). Her study provided new insights into contrastive linguistics and diachronic research, and inspired other contrastive studies (see: Garofalo 2006; Pontrandolfo 2014).

Another research field explored the stylistic traits of legal texts. An important area of research has involved the style of legal genre; judgments, for example, have been extensively analysed in terms of style by many scholars (e.g. Gorla 1967, 1968; Cordeiro 1986; Ondelli 2012), especially from a contrastive view (e.g. common-law vs. civil-law judgments) (see: Pontrandolfo 2016: 63–68).

Other scholars have investigated style from a different angle, that is to say, the differences between original legal language and translated one (at the EU level) (Nystedt 2000). EU Italian as a kind of eurolect, considered as a subcode, radicating into a European situational and communicative context, and born from the constant operation of interlinguistic transposition, has nowadays received the attention of many Italian scholars, who often adopt a corpus-based perspective to study the distinctive traits of EU Italian and national legal Italian (see: Pontrandolfo 2011; Ondelli 2013; as well as the international project on the Eurolect coordinated by Laura Mori, UNINT University of Rome, Mori 2018: 1).

### 7. *Legal linguistics and computer science*

Studies in this area deal with the computer-assisted data processing on a wide array of perspectives. One of the earliest studies conducted in this field was that of Giovanni Rovere (University of Heidelberg), who was one of the first Italian schol-

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<sup>7</sup> To mention some names: Angela Carpi (University of Bologna), Letizia Casertano (University of Insubria), Valentina Jacometti (University of Insubria), Piercarlo Rossi (University of Torino), Raffaele Caterina (University of Torino), Mauro Bussani (University of Trieste), Gigliola Di Renzo Villata (University of Milano).

ars introducing corpus linguistics methodologies for the study of Italian legal language (see: Rovere 2005). Even though the corpus approach was not fully explored in his volume, he had the great merit of underlining the advantages of using corpora in legal linguistics when approaching specific linguistic and discursive traits (e. g. the use of articles, pronouns, suffixes like *-ità*, the position of adjectives in technical noun phrases, constructions with *da* + infinitive, the distribution of instrumental adverbs, as well as verbs and discourse markers). Indeed, his study paved the way for many other corpus-based studies in legal linguistics.

As a matter of fact, statistical software is commonly used in combination with corpora of legal texts to assess the differences in terms of lexical richness, lexical density, readability, etc. of Italian legal texts, also in comparison with other legal languages (see: Ondelli / Pontrandolfo 2015).

As far as legal corpora are concerned, an overview of the main collection publicly available for the study of legal Italian is provided in Pontrandolfo (2012). One of the most important and pioneering bilingual (English-Italian) legal comparable corpora is BoLC<sup>8</sup>, developed at the University of Bologna under the supervision of Rema Rossini Favretti. Another corpus of Italian legal academic texts is CADIS<sup>9</sup>, developed at the University of Bergamo within the activities carried out by the CERLIS group. A subcorpus of CADIS contains English and Italian legal texts, which have been quantitatively and qualitatively scrutinised.

Relying on empirical data helps scholars confirm their hypotheses and strengthen their methodological awareness.

### 8. *Legal translation & interpreting research*

The focus of this subsection is exclusively on legal translation and interpreting in Italy and not on legal comparative studies and legal translation theory (*comparazione giuridica*), which has been dealt with in 5. The scholars mentioned in this section, unlike the others referred to in 5. who have a strong legal background, are linguists (translators and/or interpreters), who have specialised in legal linguistics and translation.

The interest for legal translation (and later on interpreting) as a teaching and research field was awakened by a first international conference held in 1995 and organised by the Linguistic Center of the Bocconi University in Milan. Scholars from different parts of the world gathered together to debate around legal language from three basic angles: the nature and general features of legal Italian, French, English, German and Spanish, the analysis of the translation challenges related to the discursive genres typical of the legal communication, and the reflection upon some teaching experi-

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<sup>8</sup> [http://corpora.dslo.unibo.it/bolc\\_eng.html](http://corpora.dslo.unibo.it/bolc_eng.html) (03/11/2018).

<sup>9</sup> <http://dinamico.unibg.it/cerlis/page.aspx?p=245> (03/11/2018).

ence at university level of the above-mentioned legal languages. The proceedings of the conference were published in 1997 and edited by Schena (1997).

The conference was followed by another important event, the Second International Conference held in Milan at the Bocconi University within the framework of an agreement between the former Faculties of Translation and Interpreting of Trieste and Bologna. The novelty of this second international event lied in the presence of translators and legal experts/lawyers at the same roundtable. The topics dealt with ranged from strictly linguistics issues, such as lexical, syntactical and phraseological features of legal languages, to the translation of contracts, international agreements, judgments, as well as some insights into court and parliamentary interpreting, etc. A whole section of the conference was also dedicated to teaching legal language and translation. The main goal of the conference was laying the foundation for overcoming what at that time was considered the incommunicability of the methodological tools of analysis adopted by legal scholars, linguists and translators, when interpreting and comparing legal discourse. The proceedings of this second conference were published in two volumes and edited by Schena / Snel Trampus (2000, 2002).

From 2000 onwards, legal translation has been increasingly attracting attention in Italy, not only as a relatively new academic discipline to be taught in university degrees in Specialised Translation (see IV.2.), but also as an interdisciplinary research field.

As far as legal translation theory is concerned, it is worth mentioning one of the earliest papers on the inner challenges of translating the law by Maurizio Viezzi (University of Trieste) (1994). A complete introduction to the field was provided by Fabrizio Megale from the UNINT University of Rome (2008), in which he carries out a detailed survey of the main theories of comparative law and applied linguistics, advocating for an interdisciplinary approach to the study of law and translation. The paper by Wiesmann (2011) provides an insight into the nature of legal translation, examining text-internal and text-external factors by which the translation of legal texts differs from the translation of other specialised texts.

Legal translation between Italian and other languages is today a solid niche of research. Legal translation between English and Italian has been explored by a number of scholars, among whom: Federica Scarpa (University of Trieste), in her works dedicated to the translation of the common-law judgment (Scarpa / Riley 2000); Katia Peruzzo (University of Trieste) with her investigations into the translation of the Italian Code of Criminal Procedure in English (Scarpa / Peruzzo / Pontrandolfo 2017). Legal translation between Dutch and Italian was only analysed in the early 90 s by Rita Snel Trampus (1989). As far as legal German is concerned, in addition to the already mentioned works by Magris, Rega and Wiesmann, it is worth mentioning the research carried out by Fabio Proia (UNINT University of Rome), who focused on the translation of a specific technical genre (patents). Legal translation between French and Italian has been the focus of a 2013 publication edited by Michele De Gioia (University of Padova), whereas the Spanish-Italian combination has been

the interest of many pieces of research by Giovanni Garofalo (University of Bergamo) (2003, 2009) and Gianluca Pontrandolfo (University of Trieste) (2016, 2017).

A recently new and promising research field in Italy is legal interpreting. Some theoretical insights into the profession of court interpreters and mediators are found in a recent volume by Rudvin / Spinzi (2015), as well as in other papers by different Italian scholars, like Sandrelli (2011), Ballardini (2005) and Falbo / Viezzi (2014).

### III. Research activities

There is a number of outstanding projects currently ongoing in many Italian universities. The following sections present the scholars involved in these research activities, also mentioning those Italian researchers who regularly carry out their studies in Italy but work with other legal languages and not directly with Italian.

#### 1. Research groups and projects in Italy

There are many groups and projects involved in Italy's legal linguistics research. One of the first research group was the already mentioned initiative coordinated by Michele Cortelazzo (University of Padova) – called *Linguaggio amministrativo chiaro e semplice* – who set up many activities, both at training and research levels, devoted to the simplification of administrative language. The portal, mentioned in II.2. (see footnote 5), contains useful resources for the legal linguists interested in this subfield: guidelines to write clear administrative texts, the TACS corpus, a collection of administrative texts re-written and simplified according to the criteria of linguistic simplification and communicative efficiency, a number of bibliographic references, links to other interesting webpages, etc.

Another interesting project is the *REI (Rete d'eccellenza dell'italiano istituzionale)*<sup>10</sup>. The main objective of this network was improving the quality of institutional texts produced by national and international public administrations. Created in 2005, it was conceived as a point of contact among translators, linguists and other operators involved in institutional communication in Italian. Legal language, with a special focus on terminology, was one of the working areas of the group.

A full-blown center, specialised in legal linguistics and informatics, is the *ITTIG (Institute of Legal Information Theory and Techniques)*<sup>11</sup>. Located in Florence, the ITTIG belongs to the Italian National Research Council (CNR) and was born as the Institute for Legal Documentation (IDG) in 1968, then became ITTIG in 2002. The center conducts research in the field of legal informatics and information

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<sup>10</sup> [http://www.treccani.it/magazine/lingua\\_italiana/speciali/burocratese/murillo.html](http://www.treccani.it/magazine/lingua_italiana/speciali/burocratese/murillo.html) (03/11/2018).

<sup>11</sup> <http://www.ittig.cnr.it/IndexEng.htm> (03/11/2018).



technology law. It carries out its research with a constant interaction between the academic and the scientific world; its applied research focuses on the relationship between law and legal science, and information and communications technologies. One of the great merits of the Institute is that of working closely with public administrations on topics related to e-government. It produces and distributes legal databases and makes specialised software and tools for online legal information, online dissemination, and for the interoperability of government data. One of its areas of expertise is the so called *legimatics* (computing for legislation), which deals with model-creation of the legal reasoning and procedure related to the legislative process, applied to both the drafting of legislative texts and to political, decision-making and feasibility analysis.

Another important and historical center was the *LALIGI*<sup>12</sup> (*Laboratorio di Linguistica Giudiziaria*), founded in 1996 by Patrizia Bellucci (University of Firenze). Even though it is known as *Forensic Linguistics Laboratory* in its English translation, the center did not deal exclusively with the current meaning of the term *forensic linguistics* (see: Tiersma's renowned definition<sup>13</sup>). It was one of the pioneering research centers dedicated to the analysis of the legal and judicial world; it carried out an extensive research on criminal proceedings, taking into consideration the aspects and problems of linguistic nature, but with strong applied consequences. The *LALIGI* was one of the first Italian academic centers that fully explored the interdisciplinarity between law and language, taking advantage of the synergy of different but complementary methodological viewpoints: from dialectology to variationist sociolinguistics to conversational analysis to ethnography of communication, declined under the interpretive or interactionist perspective. Bellucci was actually one of the first scholars introducing judicial sociolinguistics; she was definitely a forerunner of corpus-based studies of oral judicial communication (analysis of transcriptions of judicial proceedings) (2005) (see: II.4.).

Among the recent research centers, it is worth mentioning the *TRANSJUS*<sup>14</sup> (University of Trento) (*Laboratorio di comparazione, traduzione e linguistica giuridica*), coordinated by Elena Ioratti Ferrari. The goal of the project is developing constructive synergies among different competences, by means of terminological descriptions, scientific reflections on legal translation theories and methods applied to the transposition of EU legal concepts and institutes, as well as training scholars in the interdisciplinary field of legal translation. From the research perspective, the *TRANSJUS* members have been actively involved in three core areas: legal linguistics, legal translation and comparative law.

A very active research center is the *CRILL* (*Centre for Research in Language and Law*)<sup>15</sup>, established by the English Language Chair within the Department of Law of

<sup>12</sup> [http://www.patriziabellucci.it/laligi/objectives\\_eng.htm](http://www.patriziabellucci.it/laligi/objectives_eng.htm) (03/11/2018).

<sup>13</sup> <http://www.languageandlaw.org/FORENSIC.HTM> (03/11/2018).

<sup>14</sup> <http://www.jus.unitn.it/transjus/> (03/11/2018).

<sup>15</sup> <http://www.crill.unina2.it/> (03/11/2018).

the University of Campania Luigi Vanvitelli (formerly: *Seconda Università degli Studi di Napoli*). It aims at disseminating scientific information and fostering dialogue on all aspects of the interface between language and law. The research center promotes the development of research output by bringing together national and international scholars, research students as well as practitioners from a variety of disciplines. The *Centre* organises conferences, seminars and visiting lectures, and undertakes research projects by a combination of individual and collaborative research of the highest international quality.

A recent international research project is the *Eurolect Observatory*<sup>16</sup> coordinated by Laura Mori (UNINT University of Rome). The objective of the research group is the analysis of the EU varieties of legal language (eurolect, it: *euroletto*, *eurogergo*, *eurocratese*), which have originated and become established within the linguistic dia-systems of some Member States or in parts of them: England (United Kingdom), Finland, France, Germany, Greece, Italy, Latvia, Malta, the Netherlands, Poland, and Spain. The research is based on a large multilingual corpus of EU directives and national implementing acts aimed at confirming or disconfirming the hypothesis of the existence of different EU legal varieties.

Finally, the *IUSLIT Department* of the University of Trieste<sup>17</sup> is now capitalising on the co-existence of the two sections of the structure (law and linguistics/translation and interpreting) with the participation in a number of research projects, both at national and international level. Among the international projects, it is worth mentioning the *QUALETRA* project devoted to quality in legal translation training and profession; *TransLaw*, aimed at exploring legal interpreting service paths and transcultural law clinics for persons suspected or accused of crime and *AVIDICUS 3*, assessment of videoconference-based interpreting in the criminal justice services. Among the national ones, the development of a terminological multilingual knowledge base in the legal field<sup>18</sup> (coordinated by Marella Magris), hybrid textual productions in the European context (Stefano Ondelli), and legal (and police) interpreting in criminal settings (Maurizio Viezzi and Caterina Falbo).

## 2. Research scholars working in Italy in legal languages different than Italian

The study of the Italian legal language is strictly connected with the study of other legal languages that are taught and researched in Italy. Although the focus of this chapter is on legal Italian, it is worth mentioning some research groups and activities of scholars (most of them Italian), based in Italian university, doing research with and

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<sup>16</sup> <http://www.unint.eu/en/research/research-groups/39-higher-education/490-eurolect-observatory-interlingual-and-intralingual-analysis-of-legal-varieties-in-the-eu-setting.html> (03/11/2018).

<sup>17</sup> <http://iuslit.units.it/it/ricerca> (03/11/2018).

<sup>18</sup> <https://lextrain.units.it/?q=termit> (03/11/2018).

teaching other legal languages, as they significantly contribute to the field of legal linguistics, proposing methods, discussing problems and introducing comparative perspectives. Indeed, some Italian scholars working with other legal languages carry out contrastive studies. Interesting pieces of research are for example the seminal work by Giuliana Garzone on performative acts in English and Italian legal texts (1996), or the volume edited by Daniela Veronesi from the University of Bolzano devoted to German and Italian legal linguistics (2000).

As far as legal English is concerned, the *CRILL* group (see: III.1.) has been actively involved in the dissemination of a wide range of topics related to legal English, from the pedagogy of legal language (Girolamo Tessuto, Giuliana Garzone, Rita Salvi) to the complexities of legal discourse (among others: Christopher Williams, Girolamo Tessuto). One of the great merits of the *CRILL* school has been that of attributing the right importance to discourse studies. The research group investigates both the social and professional context, i. e. the ways professional legal communities use language, as well as legal genres, key contexts in which authority, power, ideology, areas of hybridity, intertextuality, interdiscursivity and recontextualization are pivotal issues.

Members of the University of Bergamo and of the *CERLIS* group (see: III.2.), led by Maurizio Gotti, have been involved in the study of academic legal discourse in English (Michele Sala) and investigations into international commercial arbitration practices, also from a contrastive perspective (among others: Maurizio Gotti, Patrizia Anesa).

Scholars of the University of Modena and Reggio Emilia have also been studying English legal linguistics from various angles: judicial/courtroom and argumentative discourse (Davide Mazzi, Silvia Cavalieri, Nicholas Bromwich), legal semantics and pragmatics (Marina Bondi, Giuliana Diani, Nicholas Bromwich, Silvia Cacchiani), and contrastive phraseological studies (Giuliana Diani).

Scholars from La Sapienza University in Rome, namely Rita Salvi and Judith Turnbull, have been actively involved in the study of the dissemination of legal English and the key role played by popularisation in this process.

As far as legal Spanish is concerned, seminal works by Carmen Sánchez Montero and Giovanni Garofalo have initially focused on legal translation between Spanish and Italian. Spanish legal linguistics is nowadays a solid research perspective of some Italian scholars, dealing with Spanish legal discourse, including terminology and phraseology (Gianluca Pontrandolfo, Giovanni Garofalo, Roberta Giordano), judicial argumentation, courtroom pragmatics, and forensic communication (Laura Mariottini).

Legal French is a niche research field in Italy. One of the first studies was devoted to the pedagogy of legal French (Leandro Schena). Works by Chiara Preite from the University of Modena e Reggio Emilia have investigated lexicographic and popularising aspects of legal French; Danio Maldussi, from the University of Bologna-Forlì,

has dedicated part of his research on LSP to legal language, especially from a comparative/contrastive and translation perspective; Micaela Rossi from the University of Genova has been actively involved in the study of LSP terminology and metaphor; some of her works deal with legal French.

As far as legal German is concerned, works by Marella Magris and Lorenza Rega from the University of Trieste and Eva Wiesmann from the University of Bologna-Forlì have explored the features of this LSP, especially from a contrastive and translation point of view.

#### IV. Legal Linguistic in Italian academia

The following sections briefly present the place of legal linguistics in Italian academic institutions by shedding light on the departments in which law and language officially co-exist, as well as on the didactics of legal linguistics.

##### *1. Departments Law & Language*

The idea that law and language could coexist within the same academic structure was tested officially for the first time in two Italian University Departments: the Department of Law, Economics and Cultures of the Insubria University and the Department of Legal Language, Interpreting and Translation Studies (IUSLIT) of the University of Trieste.

In line with the growing tendency to form larger departments, also due to technical and administrative reasons, in Italy there are a number of new departments that are exploring interdisciplinarity. A few of them are actually combining the linguistics and the law dimension, such as the Department of linguistic-literary, historical-philosophical and legal studies (DISTU, Tuscia University of Rome).

##### *2. Teaching of legal linguistics*

If one excludes the teaching of legal languages carried out at the Faculties of Law (both at BA and MA level) and focuses exclusively on the terminological and textual features of such LSP (see: Pontrandolfo 2017: 234–235), then legal linguistics as an academic discipline in Italy is taught only at a postgraduate level. An interesting training initiative was the Masters in Law and Language, organised by the Trentino School of Management in 2012/2013<sup>19</sup>, aimed at introducing both lawyers and linguists to aspects of legal linguistics from an interlinguistic and intercultural perspective. The teaching modules were structured to provide specific training on a number

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<sup>19</sup> [https://www.tsm.tn.it/documenti/master/lingua\\_e\\_diritto/2012.brochure.MASTER\\_IN\\_LINGUA\\_E\\_DIRITTO.pdf](https://www.tsm.tn.it/documenti/master/lingua_e_diritto/2012.brochure.MASTER_IN_LINGUA_E_DIRITTO.pdf) (03/11/2018).

of issues, like law, culture and legal terminology, legal languages and disciplines, applied linguistics, pragmatic legal linguistics, etc.

It is also worth stressing the training initiatives organised within the *Transjus* research group<sup>20</sup> (see: III.1.), coordinated by Elena Ioratti (University of Trento).

The only training initiative that is still active in Italy and specifically devoted to legal language is the Masters, organised by the University of Pavia, entitled “The language of the law”<sup>21</sup>. Its main objective is training future experts in legal drafting with skills in law and applied linguistics. Although its scope is limited to linguistic aspects (legal writing), it is framed within a wider project aimed at mapping the research perspectives of legal linguistics, conceived as an applied discipline able to detect and propose solutions to the problems related to the use of language in the production, communication and interpretation of law.

As far as legal translation and interpreting is concerned, three Italian universities have been involved in training professional legal translators and interpreters: the UNINT University of Rome (Masters in Translation and Interpreting in the legal and judicial field, 2012/2013); the IUSLIT Department of the University of Trieste (Masters in Legal Translation, 2012/2013, 2014/2015); and the Department of Modern Languages and Cultures of the University of Genova (Masters in Specialised Translation in the legal field). The Trieste’s Masters has now been replaced by a full-blown BA degree in *Interlinguistic Communication Applied to Legal Professions*, a highly innovative interdisciplinary training path, which is a unique reality in Italy.

### 3. Editorial panorama

The editorial panorama of specialised journals and book series on law and language is limited to two series, which confirms that legal linguistics still needs to develop to become a full-blown academic discipline, at least from the editorial point of view. The first one is a series edited by Barbara Pozzo, entitled *Le lingue del diritto* (The languages of the Law)<sup>22</sup> within the renowned publishing house Giuffrè, specialised in legal research publications. The second one is a series edited by Girolamo Tessuto, *Explorations in Language and Law*<sup>23</sup> (Novalogos, Rome), an internationally interdisciplinary series that publishes research as well as articles and book reviews on the interface between language and law in academic, professional and institutional discourse contexts.

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<sup>20</sup> <http://www.jus.unitn.it/transjus/formazione/home.html> (03/11/2018).

<sup>21</sup> <http://lalinguadeldiritto.unipv.it/> (03/11/2018).

<sup>22</sup> <https://shop.giuffre.it/collane/le-lingue-del-diritto-collana-a-cura-di-barbara-pozzo.html> (03/11/2018).

<sup>23</sup> <http://www.novalogos.it/drive/File/Explorationscollana.pdf> (03/11/2018).

It is worth mentioning that some Italian journals have dedicated special issues to law and language; for example, issue 2/2015 of the Italian journal *Textus* was edited by Federica Scarpa and Jan Engberg and focused on English legal language and translation<sup>24</sup>.

## V. Old and new directions in LL in Italy

The overview provided in this section has confirmed that legal linguistics is an established and increasingly growing field of research in Italy.

The last decades have witnessed a gradual move from the historical and traditional studies on the typical traits of legal language into a more interdisciplinary area of research, in which the notion of legal genre becomes crucial. This has been eased by the advent of computer-assisted methods and, in general, by the availability of a larger quantity of texts from different institutions. Indeed, the multilingual scenario of European and international institutions and organisations, such as the EU, UN, WTO, have strengthened the role of legal linguistics and shifted the focus from a single legal language to many legal languages, stressing the fact that our national language is inevitably influenced by the supranational varieties. Emphasis is increasingly being put on the use of a European legal Italian (see: Mori 2018) and its role in the emerging EU legal culture.

A growing body of research is focusing now on the non-sexist use of legal language. Avoiding discriminations and getting an equal linguistic treatment between men and women has become an objective of a good legal culture. The focus has been placed so far on legislative texts (see: Robustelli 2011; Dell'Anna 2014) but it is being applied to other genres as well, and to legal and judicial society in general (see: Cavagnoli 2013; Morra / Pasa 2015).

A promising area of research, which is proving very fruitful, is the use of computer-assisted methods of corpus linguistics as well as *Natural Language Processing* applied to legal linguistics. The advantages of these methods lie in that they allow for methodological eclecticism (i. e. the possibility to triangulate different methods), reducing speculation, as well as offering the possibility to verify hypotheses or to test common beliefs on legal linguistics more systematically. Moreover, the use of Corpus-Assisted Discourse Studies (CADS) will definitely increase in the near future in Italy due to the advantages of allowing scholars to combine corpus (more quantitative) insights and qualitative investigations into discourse types.

These new approaches will gain momentum in the years to follow and will definitely contribute to enhancing the understanding of the subtle nuances of this fascinating interdisciplinary field.

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<sup>24</sup> [http://www.carocci.it/index.php?option=com\\_carocci&task=schedafascicolo&Itemid=257&id\\_fascicolo=708](http://www.carocci.it/index.php?option=com_carocci&task=schedafascicolo&Itemid=257&id_fascicolo=708) (03/11/2018).

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