The pragmatic dimension of competence in ESP in cross-cultural legal contexts

Individuals operating in cross-cultural contexts between two or more languages require pragmatic competence in order to ensure understanding of what utterances mean in context. Pragmatic competence involves awareness of what the context consists of, being equipped to study what factors or forces lie behind utterances, highlighting those that can be seen, unearthing and examining those that may remain unseen. For ESP professionals operating between two or more legal languages or systems, this research is one of the tasks of the discipline of legal linguistics. Law has no separate existence of its own: it is not sealed off from the rest of the world and does not operate in isolation from people, events and ideas. These will inevitably be reflected in the framing and content of laws, as well as in the way they are expressed in legal language. This chapter explores the literature with a view to identifying some of the unseen factors and forces that make legal language what it is, with the aim of opening avenues for further comparative legal linguistic research in the field of legal ESP, as well as in legal translation and comparative law.