

# Communicating with the Wider Audience: The case of a legal blog

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Domain-specific texts are usually intended for a specific academic and / or professional community and can often be impenetrable to those from outside that community or without the relevant genre knowledge. This can be especially true with legal texts. This paper presents a study of a legal blog, *BabyBarista*, a fictional account of a junior barrister practising at the English Bar, in order to show how the author, a barrister and therefore a legal expert, tailors the discourse of the blog in such a way that it can be appreciated by insiders and outsiders alike.

*Keywords:* legal blog, discourse community, genre, identity

## 1 Introduction

This paper focuses on a key area of concern to applied linguists interested in domain-specific discourse: how members of a professional community communicate successfully to both insiders and outsiders, that is, to both specialists in their field and to the world at large. Since the seminal work by Swales (1990) and Bhatia (1993) much important research has been carried out by scholars investigating academic and professional discourse. Recent studies emphasise the importance of the socio-professional contextualization of genres, as well as their dynamic and unstable nature (see, for example, Bhatia, 2007, 2008), and the need for genre research to take into account the diachronic dimension (Berkenkotter, 2007) and the advent of the new media (Giltrow & Stein, 2009). Flowerdew and Wan suggest an ethnographic approach that will focus on “the activities, attitudes, beliefs, values and patterns of

behaviour of the *discourse community* engaging in the genre or genres which is / are the focus of study” (2010, p. 81, my emphasis). However, together with the concept of ‘discourse community’ (Swales, 1990), comes the notion of ‘community membership’ and therefore that of ‘non-membership’ (Giltrow & Stein, 2009, p. 7). Community (non)membership can be dependent on communicative and discursive competence (Hymes, 1996; Bhatia, 2004) and is closely connected to uncomfortable issues of inequality and exclusion (Hymes, 1996), of gate-keeping and marginalisation (Esch & Solly, 2012). Indeed, Bhatia argues for “an integration of discursive practices and professional practices [...] to facilitate a more comprehensive understanding of accessibility and creativity in professional genres” (2008, p. 321). Despite this, few previous studies have had as one of their central aims the analysis of the discourse’s accessibility to both insiders and outsiders, and therefore of the reasons underpinning its success (or lack of success) in communication terms.

The paper looks at a comparatively new genre, the blog, some of whose salient characteristics have been mapped by scholars. Crystal (2006), for example, noted that blogging has introduced a new era of interactivity to websites and anticipated their vast and rapid proliferation as well as the uncertain and precarious future of many blogs. Many of his observations were confirmed by Myers (2010) who commented on the rapidity of change in the blogosphere and on the difficulty of keeping track of that change. The blog genre will be discussed in more detail in section 2 in relation to what is often considered a highly conservative and traditional domain, the language of the law, one which can sometimes be impenetrable to those from outside the professional community or without the relevant genre knowledge (see, for example, Solan, 1993; Gibbons, 1994; Tiersma, 1999; Gotti, 2005). The paper will then use a case study approach to examine a legal blog, *BabyBarista*, a fictional account of a junior barrister practising at the English Bar, in order to show how the author, a barrister and therefore a legal expert, tailors the discourse of the blog in such a way that it can be appreciated by insiders and outsiders alike. In section 3 the paper will consider various aspects of the blog texts, such as the setting, authenticity, topicality, characters and humour, in order to see how the interplays orient the reader to the stories. Finally,

in section 4, it will analyse and comment on the aims, significance, and possible repercussions of the use of language in the blog, taking into account the way the narrative shapes and is shaped by the context in which it is embedded. It would seem that the highly specific contextualization of the blog determines its rhetorical and linguistic requirements and that the negotiated narratives are central to the creation of a sense of community.

## **2 Blogs, blawgs and *BabyBarista***

### 2.1 Blogs

Blogs have become increasingly popular over the last decade: according to *BlogPulse*<sup>1</sup>, over 169 million were in existence on 2 September 2011. The term ‘blog’ comes from the shortening of ‘weblog’ and originally referred to online diaries. However, the literature on blogs (see for example Crystal, 2006; Miller & Shepherd, 2004, 2009; Myers, 2010) reveals the genre to have become complex, highly diversified and in constant evolution. These days the term blog is used very widely and some blogs have distanced themselves considerably from the original online diaries, now sometimes referred to as personal blogs. For example, many journalists have their own blogs (often maintained by host newspapers), as do a lot of politicians, and many blogs have taken the step of migrating to the social networks (like *Twitter* and *FaceBook*) while still retaining their own websites and/or availability through newspapers, political parties and so on. For Berkenkotter (2011) the genre differentiation should not be confused with the software through which the differentiation is produced. Indeed it needs to be remembered that the technological innovations and affordances underpinning the development of software have, in their turn, a direct, often rapid, impact on the evolution of Internet genres (Miller & Shepherd, 2009). Nonetheless, blogs on the whole conform to a number of genre features. Given their origin as online diaries, blogs should be available on the Internet. “The personal home page and blog genres are the classical examples of web genres whose existence cannot be imagined outside the web” (Mehler, Sharoff, & Santini, 2010,

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1 <http://www.blogpulse.com>

p. 13). Blogs should also be personal and in fact they are usually posted by an individual, with regular postings of commentary, descriptions of events, or other material such as text, graphics, images, podcasts and links (to other blogs, webpages and other media related to the topic). Blogs should have their own websites and most blogs are interactive, in that visitors can usually post comments, although these might well be subject to moderation. Blog posts are also specifically dated (like entries in a diary or a log), usually in reverse-chronological order, which differentiates them from many webtexts in that they are frozen in time. Moreover blog posts, due to their diary format, are not usually long.

## 2.2 Blawgs

Legal blogs, sometimes termed ‘blawgs’, are also numerous and popular, and also much diversified. A U.S. site<sup>2</sup> even exists offering to help web users choose which to read on a regular basis from the top hundred law and lawyer blogs which it has selected.

Whether you are a lawyer, [...] or merely interested in the subject, we’ve attempted to cut through the chaff and provide you with what we regard as the top 100 law and lawyer blogs listed below. It was very difficult to choose only 100 blogs from the myriad of successful law blogs. (Peterson, 2011)

Among the legal blogs the one examined in this paper is *BabyBarista* (henceforth BB), which is available both on *The Guardian* newspaper’s website<sup>3</sup> and on its own website<sup>4</sup>. The postings on *The Guardian* website are the main focus of this paper, as BB’s own website contains additional features, including the regular ‘Monday morning with Alex Williams’ cartoons’, the ‘Weekend video’ and the ‘Book recommendation’, not discussed here.

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2 <http://www.criminaljusticedegreesguide.com/library/the-top-100-law-and-lawyer-blogs.html>

3 <http://www.guardian.co.uk/law/baby-barista-blog>

4 <http://www.babybarista.com>

### 2.3 BabyBarista

The BB blog was launched in October 2006 and the early postings are still available at the original site<sup>5</sup>. At first the blog was anonymous and quite soon (April 2007) it was taken up by *The Times*. In March 2009 the author's identity was revealed by the newspaper as barrister Tim Kevan. Not long after BB moved from *The Times* to *The Guardian*, the author rejecting the setting up of a paywall by *The Times* which would have altered the public's free access to the site and thus reduced the size of the potential readership. In a BB post on 28 May 2010, Tim Kevan explains:

I have today withdrawn the BabyBarista Blog from *The Times* in reaction to their plans to hide it away behind a paywall along with their other content. Now don't get me wrong. I have absolutely no problem with the decision to start charging. They can do what they like. But I didn't start this blog for it to be the exclusive preserve of a limited few subscribers. I wrote it to entertain whosoever wishes to read it.

A blog's success can be measured quantitatively through the number of visits, citations and affiliations, by its presence on the site of a famous newspaper, by the positive reviews it receives, and also by its transformation into book or film form. BB can be considered successful on most counts: "Tim Kevan and his BabyBarista are a successful part of the legal blogging world" (Gledhill, 2011). Moreover as well as being published first by *The Times* and then by *The Guardian* it has joined the ranks of a number of blogs which have been transformed into books.<sup>6</sup> In August 2009, a book based on the blog was launched with title *BabyBarista and The Art of War* by Bloomsbury, and later published in paperback (August 2010) as *Law and Disorder*. In May 2011 a second volume based on the blog came out, entitled *Law and Peace* and also published by Bloomsbury. BB can also be followed on social networks *Facebook* and *Twitter*.

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<sup>5</sup> <http://babybarista.blogspot.com>

<sup>6</sup> Other examples are Julie Powell's blog *The Julie/Julia Project*, which was first transformed into a book and then made into the successful film *Julie & Julia*, and *A Don's Life*, by classicist Mary Beard, which appears in *The Times Literary Supplement* as a regular column and entries from which were published by Profile Books in 2009 as *It's a Don's Life*.

It is quite difficult to measure the exact size and typology of a blog readership. In the case of BB the readers obviously include readers of *The Guardian* (and perhaps of *The Times* who might now read the blog on the free webpage). Despite the interactive nature of the blog, the readers are mostly silent in their appreciation. A quick look at the BB site on 12 June 2011 revealed that relatively few comments had been posted during the previous two months. There are however exceptions. For example, going to a key moment in the history of the blog, 27 May 2010, the day BB was relaunched in *The Guardian*, we can see that 53 comments are still currently posted with that entry. Of these comments, a number are by Tim Kevan thanking those who have sent in comments, and a number are clearly from members of the legal community, such as the postings by the following: ‘young black barrister trying too hard to fit into chambers’, ‘Charon QC’ (a non practising lawyer who has his own UK law blog), ‘from the Singapore Bar’, ‘from the Sydney Bar’, ‘a solicitor who will miss the free *Times Law Reports* online’, ‘from the Inner Temple’. Some of the postings are links to newspaper articles reporting the story. In any case the comments would suggest a blog readership containing both insiders (legal professionals) and outsiders. The book readership would be much more difficult to measure and no attempt is made to do so by this study.

#### 2.4 Fiction?

As diaries blogs might be expected to contain fact rather than fiction. But this is not always the case. An example which created a furore in June 2011 was the anonymous blog, *A Gay Girl in Damascus*, apparently based on reality, but which turned out to be the fictitious creation of an internet hoaxer (Tom MacMaster, a married, 40-year-old American male studying at Edinburgh University) masquerading as a lesbian blogger in Damascus, and not the 35-year-old woman called Amina purportedly kidnapped by Syrian security forces (Addley, 2011).

BB takes great care to state that it is a work of fiction. Indeed the website specifically announces: “*BabyBarista* is a fictional account of a junior barrister practicing at the English Bar, written by barrister and writer Tim Kevan”. Certainly the disclaimer should free the author from any possible legal liability. Nevertheless it needs to be remembered that for its first three years BB was published

anonymously (its author was a practising barrister at the time<sup>7</sup>) and that the boundary between fact and fiction is often hazy and blurred. As *The Lawyer* wrote about BB on 26 February 2007 in its weekly commentary on legal activity on the web: “If this is a fictional account it is genius”.<sup>8</sup> For Tim Kevan is an insider to the English Bar and, as we will see, it is precisely his expert inside knowledge and experience which makes the blog so authentic and informative as well as entertaining.

### 3 Community and identity

BB’s success is due to various factors, including its authenticity, its humour, its characters, its topicality, the quality of the illustrations, the length of the texts<sup>9</sup>, its use of language, and its technological user-friendliness<sup>10</sup>.

#### 3.1 Setting

The setting of the BB blog is in what can be described as an unusual legal space, in that it is not a public legal space. In England the lawyers who generally present cases in court (at the Bar) are barristers, self-employed lawyers who operate within the framework of a set of chambers. The chambers is responsible for their practical training (pupillage), as well as for the administrative and clerical side of their work. BB is set in a fictitious legal chambers and opens up a world from which outsiders are usually excluded: the closed environment of barristers communicating together within their chambers. It is therefore contextually embedded in a private legal space, albeit one that is fictitious and virtual.

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7 Tim Kevan, as the profile on his website ([www.timkevan.com](http://www.timkevan.com) accessed on 12/06/2011) informs us, “practised as a barrister in London for ten years during which time he wrote or co-wrote ten law books, appeared regularly on TV and radio and co-founded two legal businesses”.

8 <http://www.thelawyer.com/web-week/124423.article>

9 The length of the posts usually ranges from 150 to 450 words: they are not ‘heavy reading’.

10 The blog is also technologically dynamic: on 3 September 2011 BB introduced a new feature ‘the first of a series of Skypecasts’ to its own website. Such an innovation would have been considered less user-friendly in 2006.

### 3.2 Authenticity and topicality

As we have seen BB's author is an English Bar insider and the blog's credibility is dependent on the authentic flavour of its various components: its setting, characters, topics and language. Coupland points out that "authentic things are 'properly' constituted in significant contexts" (2007, p. 181). And there can be no doubt that the blog does (re)create the atmosphere of a group of barristers working in a London chambers extremely successfully: indeed this authenticity is one of the main reasons BB appeals to readers. In her legal blog 'Legal Resources in the UK and Ireland' Delia Venables, reviewing *Law and Peace* in May 2011 suggests that it is an excellent present for barristers to give to others:

Note to barristers: this is an excellent book to give to parents, children, other loved ones and anyone who is not quite sure what you do all day when you are not standing up in court with a wig on.

The blog's subject matter (conforming to the diary tradition) is often highly topical. Excerpt 1 is an example; its success is only possible because of the topicality at the time of posting of the superinjunctions controversy which was front page news in the English press in spring 2011 and whose details would have been very familiar to BB's *Guardian* readership. Briefly, under the Human Rights Act 1999 which made the European Convention on Human Rights part of English Law, the English courts had begun to issue injunctions (court orders) prohibiting the publication in the press of details relating to certain legal cases, including the identities or actions of those involved, in order to protect their privacy. In early 2011 the English press began to publish potentially scandalous stories about the anonymous celebrities who were protected by these injunctions, which they termed 'superinjunctions', taking care to omit the details that could not legally be published. In April and May however some of these details, including the names of those involved, were posted on social media websites such as *Twitter* and also published in the foreign press where the superinjunctions had no legal force. A Member of the British Parliament had even used his right of parliamentary privilege to name a footballer featuring in one of the cases. The superinjunctions



controversy had therefore drawn public attention to a number of wider issues, including freedom of the press, freedom of speech and online censorship, as well as constitutional issues such as parliamentary privilege, the effect of European treaties on English law, and the relationship between the judiciary and parliament. This provides the background to excerpt 1.

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Excerpt 1

*Upholding the rule of law (BabyBarista 24 May 2011)*

“Is it just me or has the whole legal world just been turned upside down by the press?” said TheBusker. “I mean, I don’t give a fig about the privacy issue. But when there’s a court order in place, surely that should mean something?”

“And instead it’s undermined by the use of parliamentary privilege right under the nose of the attorney general, the very person responsible for enforcing that order,” said BusyBody.

“But what’s he meant to do. He can hardly start proceedings against every over-excited user of Twitter who forwarded it on,” said TheVamp.

“So, what? That’s it. Laws now count for nothing? Judges are powerless to enforce their own judgments? Come on,” said BusyBody.

“I don’t know what you’re all so worried about,” said OldSmoothie. “We spend our lives trying to twist and turn judges and orders in our clients’ favour. We can hardly now start carping on about the sanctity of justice and all.”

“I’d be extremely disappointed if I thought that my barristers weren’t prepared to stand up to the judiciary,” said HeadClerk.

“Yes, but there are ways to do that and ways not to,” said BusyBody.

“What you really mean,” said OldSmoothie, “is that there are very expensive ways to bend the law through hiring the services of a lawyer and then there are much cheaper ones which bypass them altogether.”

“Which is exactly why we all need to uphold the rule of law,” said HeadClerk.

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In excerpt 1 the specific remarks on the superinjunctions issue by the BB characters are interspersed with shrewd humorous insider comments on the legal profession as a whole: “We spend our lives trying to twist and turn judges and orders in our clients’ favour”; “there are very expensive ways to bend the law through hiring the services of a lawyer and then there are much cheaper ones which bypass them altogether”. These comments might be considered slightly shocking by outsiders but they have a timeless universal appeal which underpins their success, after all they could be true. Excerpt 2 (reproduced below, in section 4) is timeless too: the comments by the members of the chambers require no recent topical knowledge and would also have been appreciated by readers five, twenty or fifty years ago.

### 3.3 Characters and humour

The characters are another reason for the blog’s success. All the protagonists are typical members of the legal community, in particular the legal community of a chambers of the English Bar. The characters are carefully crafted to represent different aspects of the legal community, including its hierarchy and its conservatism, but they also have universally recognisable traits. As the author points out:

It’s a fictional caricature of life at the Bar and includes characters that probably exist in most workplaces such as *UpTights*, *OldRuin*, *BusyBody*, *Worrier* and even *JudgeJewellery* with her penchant for stealing cheap jewellery. (Kevan, 2010, p. 35)

Intrinsically linked to the characters are their short presentations on the blog’s own website, for example: *HeadofChambers* ‘Well-meaning, pompous and completely out of touch’, who should not be confused with *HeadClerk* ‘The real power in chambers. All seeing, all knowing.’ Some of these characters, the females in particular (*TheVamp*, *BusyBody*...), might seem somewhat out of date caricatures to the outside observer. Yet the stereotyping probably reflects what the author has observed in his professional experience since the English Bar is a comparatively conservative environment and its higher echelons are still largely dominated by male colleagues.

The lead character in the blog is of course *BabyBarista* himself. As the author explains, the name was carefully chosen:

I called him BabyBarista which was a play on words based on his first impression being that his coffee-making skills<sup>11</sup> were probably as important to that year as any forensic legal skills he may have. (Kevan, 2010, p. 34)

The fact that BB is starting out on his career lends a didactic aspect to the blog: BB as a learner (from pupil to junior barrister) is like many of the readers interested in learning more about the Bar, about current legal topics (excerpt 1), about what makes a good barrister (excerpt 2) and so on. This device enables the other members of the chambers to respond to his ingenuous questions and to provide explanations and advice. As regards this didactic aspect it is worth noting the author's experience as a writer of law books (see footnote 7). In actual fact however BB has changed considerably since its first launch in 2006. In terms of content the first year was all about BB himself and his progression as a pupil at the Bar. These days BB himself appears less frequently on the blog – if we look at excerpt 1 we can see that he is not one of the participants – although his name dominates (it is the name of the site and the blurb describing the blog strictly refers to him). He is still the narrator and he is now presented as a 'junior barrister'. In Excerpt 2 BB's role as a pupil is replaced by the introduction of another ingenuous learner, 'one of the mini-pupils', but BB still features in the illustration on the blog homepage wearing an L plate like a learner driver, emphasizing his position as a learner, thus still an incomplete insider and still conforming to the role envisaged by his creator:

As the author explains about the second of the two volumes based on the blog he could not keep exactly the same format. Nonetheless it is still the characters who drive the stories.

Having written my first BabyBarista novel *Law and Disorder* a little while back, last year I was faced with the task of writing book two. This came as more of a challenge than the first given

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11 'Barista' in Italian means someone who is working behind a bar; the word has come into English since the 1980s to mean someone who makes and serves coffees to the public, typically in an Italian style coffee bar. Because the pronunciation is similar to the English word 'barrister' the name *BabyBarista* plays on the two words.

that I couldn't simply use the stresses and strains of pupillage to drive the plot along and instead had to look to other themes and stories. In the end, I did just what I'd done in book one and let the characters loose to tell their own stories. (Kevan, 2011)

The characters are also visually displayed on the BB site in the excellent cartoon illustrations, which are, as the BB blurb informs us, the work of another legal insider: Alex Williams “who just happened to qualify as a barrister in his youth”.<sup>12</sup> They too are an integral part of the humour that permeates the blog. Indeed BB's success is highly dependent on its use of humour, which is situational and closely linked to the characters, as we see in excerpts 1 and 2. “The humour behind the blog and the book is the caricatures of London barristers, solicitors, and judges. [...] It is successful humour in part because it has a kernel of truth to it” (Gledhill, 2011).

#### 4 Language

The demarcation between those who hold power in court and those who do not (thus between the powerful and the powerless) is closely linked to the use of language and has been much discussed in the literature (see, for example, Conley & O'Barr, 1998). In the case of BB the discourse is not the language barristers use in court, but the language barristers use between themselves outside of the courtroom, but within the legal setting of the chambers. BB therefore fulfills its claim to provide a ‘worm's eye view of the English Bar’ (the blog's secondary heading), at the same time enabling the culture bound discourse of the English Bar to be accessed by outsiders without losing the contextual authenticity of the language.

The language of the BB blog has also undergone a certain metamorphosis over the years. The early blogs, narrated by *BabyBarista* himself, contained narrative, descriptive texts interspersed

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<sup>12</sup> It is also interesting to note that some of the most important names in language of the law studies (Lawrence Solan and Peter Tiersma for example) also have a strong legal background (they are both qualified lawyers as well as senior linguists). Which suggests that membership of both the domain-specific professional or academic community (in this case the law) and also of the linguistics community enables those with this dual insider role to straddle both communities successfully.

with dialogue between the main characters. These days the language of the BB blog consists more of conversational exchange and there is less narrative description. BB himself features less although he is still the narrator. Much of the discourse is spoken dialogue, the kind of rapid interchange that underpins the successful dialogue in radio and television sitcoms (see, for example, Quaglio 2009 for an analysis of the language of the sitcom *Friends*), but also the written dialogue of the fictional writing of Henry Cecil and John Mortimer, both of whom used their experience as barristers to entertain generations of readers with their humorous short stories set in the English Bar. The authenticity of the discourse is dependent on the author's ability to create and maintain the plausibility, albeit caricatured, of the legal characters, and of the situations and issues presented. In the case of BB the postings are usually set within the 'virtual' chambers, thus outside the court, but also outside the public domain of the world at large. BB's success is also linked to its authenticity and plausibility – the characters use exactly the kind of language the legal professionals could be expected to use in the context of the blog. Oral language in the public sphere of the courtroom generally sticks to set patterns, routines and formats; as Coupland observes "most social situations will have a pre-existing social architecture and a genre structure within which social meanings can be negotiated" (2007, p. 26). In BB the language used by the characters respects the social, hierarchical and interactional dynamics of the English Bar, but also those of the informal private space of the chambers.

Indeed the language is often extremely informal. Excerpt 1, for example, contains the following expressions: 'I don't give a fig', 'So, what?', 'Come on' and 'We can hardly now start carping on'. At the same time there is also considerable deployment of specific legal terminology: 'the privacy issue', 'a court order in place', 'parliamentary privilege', 'attorney general', 'uphold the rule of law'.

Riley points out the strong connection between language use and social identity, noting that it is a strikingly prominent characteristic of professional discourses:

With the possible exception of accent, nothing could demonstrate more powerfully the iconic relationship between language variation and social structure than the close and

systematic correlations to be found between technical terms, slang, passwords, localisms etc. and categories of social identity. (Riley, 2006, p. 309)

However he also observes that the active use of domain-specific terminology, rather than passive knowledge or recognition, is a significant marker of proficient ‘insider’ membership of a social or professional discourse group:

Using domain-specific terms (which is not the same as simply knowing or recognising them) constitutes in itself a claim to a specific body of knowledge and experience. By definition, such terms can also be used to exclude from the social group or category in question individuals who fail to establish their credentials, and outsiders trying to use insider terms are usually swiftly rebuffed by being forced to abandon the discursive position concerned and are very often subject to derision. (Riley, 2006, p. 309)

Thus BB bristles with the use of legal terms, concepts and jargon which the addressees (the blog readers) are expected to recognize but which are used by insiders talking together, and on occasion explained by the experts to the less proficient BB. As regards first person pronouns, ‘I’ usually expresses the individual character’s opinion and position; ‘we’ however is often used to refer to the professional community, both those present but also the Bar as a whole. This is interesting as it reveals the implicit sense of corporate belonging deployed by the barristers.

The BB blog posts usually contain the main elements of narrative structure identified by Labov (1972): abstract (here the entry titles), orientation, complicating action(s), evaluation, the result or resolution, and the coda (signalling that the story has finished). Nevertheless, the blog posts also fit into the category of oral narratives which for De Fina:

[...] do not involve much reproduction of conventions, like artistic performances or traditional tellings, but rather represent interactional achievements that reflect the work of the people involved in social encounters. (2009, p. 238)

The conversational dialogues in the BB blog posts are not of course spontaneous, but carefully crafted social encounters shaped by their creator, where the seemingly improvised exchanges between the characters provide the mechanism for the writer to articulate the plot in each post as the oral narrative is constructed and negotiated by the (fictional) legal professionals in a defined context. The posts can therefore be examined in terms of De Fina's interactional approach to the genre, one where the interaction also involves the readership, who have come to form a part, albeit a mostly passive part, of the contextualized BB community, and thus are party to the negotiated narrative.<sup>13</sup>

At a discourse level, the negotiated narrative is carefully structured: there are questions and linkers, narrative and lexicogrammatical devices. In excerpt 1 the nine exchanges are all marked by the 'said the' structure, as in "said TheBusker", six of them at the end of the intervention. This is repetitive but efficient. The same structure is used five times in excerpt 2, which also contains the variations 'she smiled... and added', 'asked' and 'replied'.

Excerpt 2 is more specifically about language, in particular language used by barristers. Entitled 'Never say what you mean' it opens with a trainee (minipupil) asking *UpTights* about the secret of being a successful barrister. This enables *UpTights* to introduce the concept of the 'disingenuous comment'; at which point various other members of the chambers give examples.

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#### Excerpt 2

*Never say what you actually mean (BabyBarista 3 August 2011)*

One of the mini-pupils crept into chambers tea today and innocently asked UpTights what was the secret to being a successful barrister.

"It all boils down to the art of the disingenuous comment." She smiled at the pupil and added, "With the greatest of respect, naturally."

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13 On 13 May 2011 the blog readership was interactively invited to take part in a competition to choose a new character. The winner, announced on 7 July, was *PanicStricken* who duly appeared on 12 July.

“I like: Your Lordship is, as always, ahead of me in this matter,” said BusyBody.

“Or: My Learned friend has earned himself quite a reputation in this area of law,” said TheVamp.

“This victory had nothing to do with my hard work as your junior and everything to do with your brilliant advocacy,” said TheCreep in a rare show of honesty.

“I really can’t believe I’m worth the ludicrous sums they pay me these days,” said HeadofChambers.

“My huge fees are simply down to the genius negotiating skills of my clerk,” said OldSmoothie looking over at HeadClerk with a smile.

To which HeadClerk replied, “Sir is worth every penny.”

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Both excerpts 1 and 2 are highly interactive. For example they open with questions ostensibly addressed to the group of lawyers in the chambers. The use of the interrogative runs through the first part of excerpt 1, also with the repeated ‘can hardly start...’ structure which takes the listeners’ agreement ‘No, he can’t’ and ‘No, we can’t’ as understood. Yet the questions raised are also questions that the general public (in this case *The Guardian* readership) might also be interested to know about. The interactivity works also at the sitcom level: over the years the addressees have become familiar with the characters and setting of the blog, and with the ongoing storying. Each blog post tells its own story but is also part of the ongoing BB story. The dialogic negotiation of the narrative by the characters (caricatures) enables the writer to reshape and recontextualize narrative detail producing an altered reality that orients the readers to the dynamics of the (fictional) professional community portrayed, helping them to understand and make sense of that community and of the legal content (and comment) presented: the narrative structure functions as a textual means of constructing identity and continuity.

## 5 Conclusion



The communicative difficulties which occur at the legal - layperson interface (Cotterill, 2002, p. xv) are a constant feature of research studies conducted on the language of the law. Drawing on the notion of communicative competence (Hymes, 1996) and the relationship between language and literacy in context-dependent language use (Bhatia, 2004) this paper suggests that the BB blog is an excellent example of how an expert writer can bridge the gap between insiders and outsiders, in this case successfully overcoming the barriers between the linguistic and discursive spheres of the lawyer and the layperson. The careful crafting of the vignette-like stories intersperses the technical terminology with informal language and humour in such a way that it enables the reader to enjoy the discourse of the professional community. At the same time BB provides a rich and well-informed source for the analysis of the law and especially of the English legal community.

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