Summary Of My Activities And Future Plans

Research’s Subjects

The main theoretical subject of my research is Sperber and Wilson’s theory of cognitive linguistics (“relevance theory”): I have derived from relevance-theoretic principles a tool of interpretation applicable for practice oriented studies of verbal communication. The main subject of my applied research is the Modern Hebrew discourse in general and, in particular, Legal Hebrew and Spoken Hebrew; I also research political discourse and advertising.

Research Activity

I apply methods of research based on linguistic theories (including Pragmatics, Discourse Analysis, Lexical Pragmatics, Referential Semantics and Argumentation) in order to gain theoretical understanding of the way language is actually used in particular social contexts. Recently I am applying the tool of interpretation (I have derived from relevance-theoretic principles) for practice oriented studies focusing on the way Modern Hebrew is used, in particular in persuasive discourse, by real speakers in the particular circumstances of varied social contexts starting with court discussions (legal Hebrew) and ending with face to face conversations (Spoken Hebrew).

LEGAL LANGUAGE

“Legal” language is the language spoken in courts and written in legal documents (including contracts, wills, and so on); I started my research of this language with a general mapping of the peculiarities making legal Hebrew a sub-language of (Modern) Hebrew and surveyed the means of coherence and cohesion that characterize legal texts (see: “Publications, Ph.D. Dissertation”; “Articles In Refereed Journals, The Functioning of the Tense system in the Hebrew Legal Discourse, “Published”; Law, language and discourse”, “Published”; “Entries in Encyclopedias, Legal Hebrew, Published”). I discussed, in my first book, the linguistics means used by lawyers for demonstrating criminal intent (see “Publications, Authored Books, A Pragmatic Analysis of Legal Proofs of Criminal Intent”).
The study of the linguistics means used for demonstrating criminal intent from lexical, logic-semantic and pragmatic points of view sheds some light on the typology of legal argumentation in general and its linguistic and pragmatics aspects in particular. In *The rationality of legal argumentation* (see “Publications, Published”), I discussed legal argumentative patterns which are characterized by presuppositions that are not conveyed in the text explicitly (but are, at most, hinted in it), and are interpreted by the perceptive hearer as a certain layers of meaning of the text.

Examining the uses of implied presuppositions in the Israeli Hebrew legal discourse, necessitated some study of the unique Israeli way of statutory interpretation according to which the court should interpret statutes in light of the purpose behind their legislation (see “Articles in Refereed Journals, *The purposive method of legal interpretation in practice*, Published”). This study of the extremely flexible Israeli method of statutes interpretation reveals the central position of the notion of “linguistic possibility” (as applied to judicial interpretations of legal texts) in the Israeli purposive method of statutory interpretation: linguistic possibility is one of the judicial criteria for appropriateness of purposive judicial interpretations. Discussing the controversies among the judges of the Supreme Court over this notion, I present in *The legal notion of “linguistic possibility”: the Israeli case* (see “Articles In Refereed Journals, Published”) two views about the legal meaning of “linguistic possibility”: according to the “empirical” view, an interpretation of a given expression is linguistically possible if the expression is occasionally used and understood as having the meaning suggested by the interpretation in question. According to the “theoretical” view, an interpretation of a given expression is linguistically possible if there is a method of interpretation that suggests, when applied to the expression in question, the same meaning that is suggested by the interpretation in question.

In order to consider generalization of the conclusions reached by studying modern legal Hebrew to other historical and social contexts, I have applied the tool of interpretation to legal texts coming from discussions of the court of Jewish law in 18’th century Morocco and of Islamic law from the early 20’th century. In *The Modes of Action of Jews in the Muslim Public Sphere in Morocco – Linguistic and Pragmatic Analysis of Legal Texts* (see “Articles In Refereed Journals, Accepted for Publication”), I discuss Jewish life in Fez (Morocco) at the beginning of the 20th century and their social and economic integration in the Islamic sphere; the discussion
is based on pragmatic interpretation of a document from the archive of the Aseraff family. The analysis of this document shed light on the procedures on Sharia courts (according to the Maliki school of Islamic law) and on how colonial presence changed the institutional and cultural relations inside the Jewish community and how it changed Jews ability to function in the Islamic public sphere.

**THEORETICAL LINGUISTICS**

The discussion of the means for demonstrating criminal intent in court showed that the defendant’s intent is usually inferred from the messages delivered among the people involved in the case either explicitly or implicitly. This result led me to study the way messages are delivered implicitly – the question of what is conveyed “between the lines”; I focus on the linguistic and the pragmatic means that are available to the Hebrew speaker and allow him/her to express more than is said in the communicational process explicitly. I discuss these means in *Means of Interpretation for Identifying Attitude assimilated into the Meta-Linguistic levels, The language of polemic discourse in the judicial drama* (see “Articles in Scientific Books, Published”) and *Semantically cued unspoken assumptions in the legal text* (see “Publications, Published”). In this last article I analyze a (legal) text that presents an argument containing parts (premises) that are not said explicitly: parts that are represented in the explicit text only by means of structural-pragmatic cues.

The results of the study of the pragmatic means that allow speakers to express meanings implicitly, encouraged me to develop a linguistic tool of interpretation usable in studies of human verbal communication. Interpretive precepts are often derived from principles that communicated texts are said to comply with; for example, both Horn and Levinson derive their neo-Gricean interpretive systems of heuristics from Grice’s maxims of rational communication (Horn 1984: 11-2; Levinson 2000: 213). In a similar way, I derive a tool of interpretation from two principles of Sperber and Wilson’s relevance theory: the communicative principle of relevance and the commonplace principle of deducibility (saying that the conclusions implicated, according to the interpretation, by a text must be deducible from the interpreted text). This tool consists of three conditions that function as a criterion of correctness of interpretations in the following sense: if an interpretation meets the three conditions then it reconstructs the meanings the text’s producer intended to
convey by the text’s sentences – whether these meanings were presented explicitly or not.

The tool of interpretation is intended for people who wish to make sure that they thoroughly understand a certain text (including the meaning hidden between its lines) in general, and in particular for legal laypersons who wish to make sure that they thoroughly understand a legal text. In Identifying the meanings hidden in legal texts: The three conditions of relevance theory and their sufficiency (see “Articles in Refereed Journals, Published”) I exemplify that this tool of interpretation can be used as an interpretative tool enabling knowledgeable recipients of spoken Hebrew to identify the interpretation that reconstructs the meaning intended by the producer of a judicial opinion. I demonstrated there a theorem saying that if some interpretation of a certain text meets three conditions then it is the correct interpretation. Showing that it can be decided which of two texts is more relevant to a certain individual completes the proof of this theorem. I show, in particular, that the general method of measuring the relevance of a text to an individual I present, enables decision in cases of doubt whether a given interpretation of a certain text is, indeed, the text’s correct interpretation.

APPLICATIONS

Written Modern Hebrew: Persuasive Discourse

Applying the interpretive tool I could specify the linguistic means enabling speakers, including lawyers, politicians and sale agents, to incorporate in their words contents that are not expressed explicitly, but are prompted by means of linguistic and contextual cues. Identifying the conditions in which contents of that kind may be missed completely by some of the hearers, I could present the actual strategies used in Modern Hebrew persuasive discourse (see “Chapters in Scientific Books” Deciphering lawyer’s language by contextualist analysis, Published”; “Articles In Refereed Journals” On the place of context models in manipulative communication Accepted for Publication; Entries in Encyclopedias, Political discourse, Published”). The results show that the manipulative use of language characterizing not just political discourse and marketing but also the discourse of members of elite groups that, like legal professionals, wish sometimes to talk above the heads of laypersons in their presence. In particular, in On the incoherence of the legal language to the
general public (see "Publications, Published"), I show that one of the pragmatic traits making legal texts appear incoherent is their abstruseness: specialized legal meanings are frequently conveyed in the legal discourse implicitly without keywords that could direct laypersons to the knowledge making these meanings obvious to legal professionals.

**Spoken Hebrew**

Recently I apply the tool of interpretation to conversations from *The Corpus of Spoken Israeli Hebrew* (CoSIH; see [http://humanities.tau.ac.il/~cosih](http://humanities.tau.ac.il/~cosih)); the tool of interpretation can be used as a general method of demonstrating that certain meanings (including metaform, implication and socio-semiotic meanings) are hidden in a given text. The tool of interpretation enables identification of the proposition represented by each of the utterances of a given text and to present rigorous examination of the pragmatic hypotheses about the relation of the contexts and the speakers’ purposes to the content, structure and manner of utterance of the utterances of these speakers in these contexts. Using this tool enables me to study the linguistic and pragmatic means used by speakers of Spoken Israeli Hebrew for passing on implied messages – the linguistic and pragmatic means that give language its schematic nature. In *Levels of comprehension and ways of representing the subject in spoken Hebrew* (see “Articles in Scientific Books, Published”) I focus on the distribution of the subject components by means of referring expressions in spoken Israeli Hebrew, and in *The schematic nature and redundancy of language* (see “Publications, Articles Submitted to Publication”) I discuss the general phenomena: the circumstances in which speakers use schematic language in contrast with the circumstances in which they use redundant language. I show that the use of schematic or redundant language in Spoken Hebrew is affected by a contextual cognitive factor: the interlocutors’ assessment of the addressees’ degree of comprehension.
In Preparation

Scientific Books

*(1) A logical pragmatic approach to human verbal communication

The cognitive psychological theory called “relevance theory” (see Wilson & Sperber 2004) describes the process of human comprehension in general and of understanding texts in particular. A person understands a given text if s/he is able to identify the meaning the text’s producer has intended to convey to the addressees. This meaning is the correct interpretation of the text; formally, a text’s “interpretation” is explicit presentation – in a certain logical symbolism – of 1) an enrichment of the text (disambiguation of the text along with the implicit information it presumes; 2) the contextual assumptions taken in the text for granted; and 3) the text’s implicated conclusion.

In Identifying the meanings hidden in legal texts: The three conditions of relevance theory and their sufficiency (see “Articles in Refereed Journals, Published”) I have presented three conditions that are necessarily satisfied by the correct interpretation of any text that was produced for the purpose of human communication. In this article I presented the assumption that the three necessary conditions are also sufficient. In order to prove this assumption – the “sufficiency claim” – I will show that if some interpretation of a communicated text satisfies the three conditions it must be the correct interpretation.

The proof of the sufficiency claim presupposes that the interpretation of any text can be presented explicitly in a certain logical symbolism; certain experiments in cognitive psychology seems to suggest that many people are incapable of logical reasoning and this apparent conclusion could shed some doubts on the assumption that texts used by people in their daily communication can be presented explicitly in a logical symbolism. For the avoidance of doubts, I will discuss one of these experiments – Wason’s selection task – and explain why the discussion between Sperber and Girotto on the one hand and Fiddick, Cosmides and Tooby on the other (see Sperber and Girotto’s “Use or misuse of the selection task? Rejoinder to Fiddick, Cosmides and Tooby”, Cognition 2002, and the bibliography therein) gives good basis to the assumption that normal people are capable of logical reasoning.
I have presented a tool of interpretation based on the principles of Relevance theory in “Identifying the meanings hidden in legal texts: the three conditions of Relevance theory and their sufficiency”. I assumed that if some interpretation of a certain text meets three conditions then it is the correct interpretation. This assumption, called “the sufficiency claim”, can be proved if it can be decided which of two texts is more relevant to a certain individual. In this article, I present a general method of measuring the relevance of a text to an individual. A method of this kind makes it obvious, of course, which of two texts is more relevant to this individual; the method presented here completes, therefore, the sufficiency claim. In particular I discuss in the present article the practical import of the sufficiency claim: I show that it enables decision in cases of doubt whether a given interpretation of a certain text is, indeed, the text’s correct interpretation.

*(2) Study of the Hebrew used in Jewish courts in the tradition of the Sephardim

The article discusses the status of Jewish women in the first half of the 20th century Morocco. The discussion is based on adjudications of Rabbi Shaul Ibn Dannan who was Chief Rabbi, President of Jewish Supreme Court, and Chairman of the Board of Rabbis that was in charge of Jewish legislation during the French protectorate of Morocco. The discussion focuses on adjudication in Family Law cases that involve questions of women’s right to private property (inheritance, income of women’s work) and their right to manage their own lives and the lives of their children (divorce and child custody).

*(3) [co-author Prof. Ruth Plato-Shinar] The bank-customer "fiduciary relationship" in light of "bona fides communication"

The current article focuses on the linguistic complexity and multifaceted content of banking documents; it will examine the good faith assumption that underlies the obligation of trust, as expressed in the communication between the Bank and its customers in a contract for the operation of a bank account.
Ancient legal language in the Bible and in the Qur’ān: Linguistic aspects

The article will show that legal sections in the Bible and in the Qur’ān share crucial grammatical, semantic and pragmatic features that characterized written legal languages in varied legal systems.

References


