

Making sense of web-based European Court of Justice institutional press releases: Context, structure and replicable genres

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Abstract

In a world in which major technological advances have considerably boosted the use of the web as a communication tool, the analysis of digital press releases to disseminate information on the case-related activity of judicial courts and project their social and institutional identity far and wide is useful to understand an evolving continuum of professional discursive practices (re-)shaped within institutional and media (public relations) communication strategies. Drawing from the criteria of genre categorizations (Swales, 2004; Bhatia, 2004; Askehave & Swales, 2001) along with computer-mediated analysis of texts (Yates & Orlikowski, 1992; Askehave & Nielsen, 2005; Caballero, 2008; Villanueva et al., 2008; Garzone, 2012) and metapragmatic strategies of press releases (Jacobs, 1999) in a randomised corpus of web-based European Court of Justice institutional press releases, I first place the sampled texts into their context of use, and then look at the generic structure used to realise the moves with communicative purposes, in both qualitative and quantitative analyses of data. Context and structure underlying the communicative genre are then mapped onto the role and function of *intertextuality* and *interdiscursivity* (Fairclough, 1992, 2003; Bhatia 2004, 2017) alongside *recontextualization* (Linell, 1998; Sarangi & Brookers-Howell, 2006). The findings show that the genre typifies the rhetorical activities and purposes of release writers as they come across to the media and the wider audiences in the ongoing context of institutionalised communication, and the ways the genre effectively replicates other forms of discourses and genres at different levels of organisational structure.

Keywords: discourse and communication, genre, press release, interdiscursivity.

Resumen

Explorando los comunicados de prensa en línea del Tribunal de Justicia de la Unión Europea: contexto, estructura y géneros replicables

En un mundo en el que los grandes avances tecnológicos han impulsado el uso de Internet como herramienta de comunicación, resulta útil analizar el papel que desempeñan los comunicados de prensa digitales en la difusión de información acerca de la actividad relacionada con los casos de los tribunales y en la proyección de su identidad social e institucional. Este análisis nos permitirá comprender cómo han evolucionado las prácticas discursivas profesionales y cómo se han (re)amoldado dentro de las estrategias de comunicación institucionales y de medios (relaciones públicas). El presente artículo parte de los criterios de categorización de los géneros discursivos (Swales, 2004; Bhatia, 2004; Askehave & Swales, 2001), del análisis de textos mediado por ordenador (Yates & Orlikowski, 1992; Askehave & Nielsen, 2005; Caballero, 2008; Villanueva et al., 2008; Garzone, 2012) y de las estrategias metapragmáticas de los comunicados de prensa (Jacobs, 1999) en un corpus aleatorio de comunicados de prensa en línea del Tribunal de Justicia de la Unión Europea. Con base en ello, en primer lugar, se sitúan los textos seleccionados en su contexto de uso, y, después, se analiza la estructura genérica mediante la cual se llevan a cabo los diferentes movimientos (*moves*) con fines comunicativos mediante análisis tanto cualitativos como cuantitativos. Posteriormente, se explica la relación del contexto y de la estructura subyacentes a este género comunicativo con el papel y la función de la *intertextualidad* y la *interdiscursividad* (Fairclough 1992, 2003; Bhatia 2004; 2017), junto con la *recontextualización* (Linell, 1998; Sarangi & Brookers-Howell, 2006). Los resultados obtenidos evidencian que, a medida que los comunicados de prensa se presentan a los medios y al público en general en el contexto actual de la comunicación institucionalizada, este género va tipificando las actividades retóricas y los propósitos de sus autores, así como las formas en que el género replica de manera efectiva otras formas de discursos y géneros en diferentes niveles de estructura organizativa.

Palabras clave: discurso y comunicación, género, comunicado de prensa, interdiscursividad.

1. Introduction

With the World Wide Web continuously transforming the way we conduct our lives, new opportunities for publishing information and news online are growing and changing the role of gatekeeping journalists in today's media environment and public relations industry. Alongside this, the press release

remains the workhorse of most media public relations programmes on the web and acts as the most effective communication tool for information and news to spread far and wide, helping companies or institutions get valuable publicity. The fact that the press release is journalistic in format, versatile and can be written “for different audiences [for whom it is] supposed to do different things” (Jacobs, 1999: 22) has made it the object of considerable discourse-, genre- and public relations-analytic research (e.g. Sleurs et al., 2003; Tench, 2003; Barnett, 2005; McLaren & Gurū, 2005; Lassen, 2006; Catenaccio, 2008, Gilpin, 2008; Lindholm, 2008; Pander Maat, 2007, 2008; Pander Maat & de Jong, 2012; Bremner, 2014; Wickman, 2014; Tessuto 2017) designed to indicate structure, style, purpose and other contextual factors.

But with the Internet “rapidly changing the use and language of press releases” (Strobbe & Jacobs, 2005: 91), the influence of textual and discursive practices on the genre of press releases is no exception in professional and institutional communication used for media relations programmes. This is visible at several constitutional Courts in the world, which are increasingly maintaining web sites where press releases are commonly posted as PDF files and used to spread information on Court proceedings far and wide. While social media is also emerging as a tool to alert and educate audiences regarding those activities, the generic role and construction of press releases used in these institutionalised channels of communication and media external relations provide the preferred option for “shap[ing] reader’s opinion about the institution” (Gilpin, 2010: 282) alongside the institutional ‘voice’ in upholding and interpreting the law, and similarly generate sliced and diced compelling pieces of news coverage relevant for dissemination of information and knowledge about the Court.

Indeed, due to the spread of new technologies (Garzone, 2012), genres are also continually adapting for specific communicative purposes, needs and situations (Askehave & Swales, 2001; Bhatia, 2004), and allow the communicative genre of press releases available from Court web sites to provide an evolving continuum of interpretations and discursive practices (re-)shaped within institutionalised contexts of professional communication and to bring to the fore interdiscursive mechanisms these contexts are now framing for media communication. To the extent that these press releases play a central role in the day-to-day activities and public relations goals of a particular Court, the nature and processes involved in their construction and use also remain, to the best of my knowledge, largely missing, if not totally

absent, from the linguistic (genre-based) research landscape. In an attempt to bridge this gap, this study sets out to examine the genre of European Court of Justice institutional press releases both for their context of use and value for strategic, purpose-driven generic structure alongside the ways they tie with a predictable network of discursive contexts and practices re-arranged by release writers as part of the media communication and public relations goals inside this institution. To this end, the study is guided by three complementary research questions:

1. How can these press releases be properly contextualised for their activity, purpose and genre in institutional and media communication?
2. What kind of generic structure and rhetorical move types determine the internal organisation of press release discourse and help release writers come across effectively to the audience and to the media professionals?
3. How is the institutional press release genre (re-)shaped by other forms of genres at different levels of generic structure?

To answer these questions in both descriptive and interpretative terms, I shall first indicate the empirical material and research method used, before undertaking the analysis and discussion of the findings for those questions, and drawing some preliminary conclusions.

2. Material and method

2.1. Corpus data

The empirical data for this study came from a synchronically randomised corpus of 50 English-language press releases (PRs) sanctioned via the Press and Media Unit of the Curia's institutional web site over a four-month period (from October 2017 to February 2018).¹ Sampled press releases were retrieved from the Press Releases' tagged page of this site on a mouse click, downloaded as PDF files and subsequently converted into text-formats. WordSmith retrieval system (Scott, 2015) was then used to generate different quantitative data of the sampled texts. The overall data source for this study was a 60,271 word-corpus of published press releases, with an average length of 1,160 words per text (roughly 3 pages in PDF format).

Total tokens	Total sentences	Total mean (in words)	Mean length per text
60,271	1,555	37.29	1,160

Table 1. Quantitative data of press releases collected from the Curia (Press and Information Unit) website through WordSmith Tools 6.0.

The screenshot in Figure 1 below displays the Press Releases’ tagged page of the Curia’s (Press and Media) site where all the releases appeared in a reverse number order, so that the first press release has the most-recent release-number on a particular dateline, and so on, allowing users to click on Newer-Releases or Older-Releases in Internet communication:

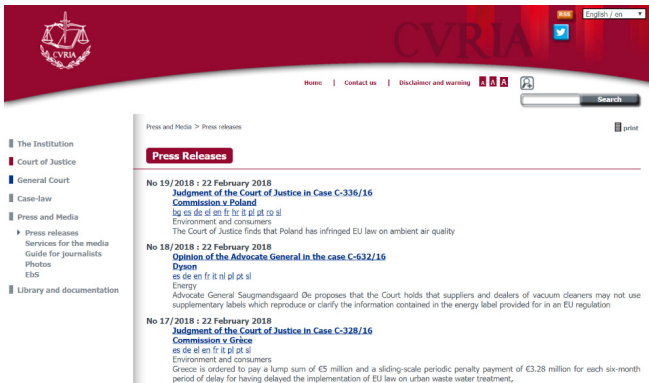


Figure 1. Press Releases page.

In addition to this numbering and dating system, the screenshot displays a minimum set of uniform metadata for publishing online press releases (that is, a Judgment or an Opinion referred to and made available on a mouse click, case number in the register, parties, languages, field, and snapshot ruling), alongside the remainder of the page devoted to graphic logo for release institutional ‘face’ and other headers for global navigation options. Expectedly, these headers contain multiple anchor text-rich “hyperlinks” (Askehave & Nielsen, 2005) to the same or other digital content domains through intertextual frames (underlined), such as Twitter usage policy, and Case-law search form, which provide more search engine exposure to readers as web users, while also distributing traffic across media outlets.

2.2. Data analytical procedure

To address the three research questions primarily in qualitative terms, the initial aim of this study was to put press releases into their context of activity, purpose, and genre. So, the functionally-defined criteria of discourse and genre categorisations (Swales, 2004; Bhatia, 2004; Askehave & Swales, 2001), involving the role of press releases in communications research (McLaren & Gurķu, 2005; Maat, 2007; Catenaccio, 2008; Tessuto, 2017), were taken into account along with the criteria that press releases are essentially written to be reproduced by the media around several pre-formulation strategies, such as a comprehensive 'lead' paragraph, a reverse pyramid structure, and a number of metapragmatic features dealt with elsewhere (Jacobs, 1999). Analysis of the generic structure of texts focused on the standardised makeup of press releases and the more textually relevant moves with communicative purposes, with each move being examined as "a discorsal or rhetorical unit that performs a coherent communicative function" (Swales, 2004: 228; Biber et al., 2007: 23), and as a "socio-cognitive pattern [of] a professional community" (Bhatia, 2004: 9). In addition to coupling structural analysis of the genre as a text and community-based discourse with a focus on computer- and web-mediated communication (Yates & Orlikowski, 1992; Askehave & Nielsen, 2005; Caballero, 2008; Garzone, 2012), this study used a qualitative content analysis (Neuendorf, 2002) to systematically and comprehensively code the frequency of manifest content juxtaposed within press releases.

Alongside these analytical procedures is the recognition that press releases favoured the distribution of information between the writer's account and attributed source via indirect reporting and summarisation (that is, restating the reported source of information in the writer's own language at roughly the same level of detail). Indirect reporting (summarisation) here subsumed much of the rhetorical process of *recontextualisation* (e.g. Linell, 1998; Sarangi & Brookers-Howell, 2006), which relates to "how prior talk, text and context are reproduced and transformed in dynamic, dialogic fashion with consequences of meaning making" (Sarangi & Brookers-Howell, 2006: 6), and works actively to develop new (recontextualised) texts in the system (Linell, 1998). The predominant use of indirect reporting (attributing what is summarised to people who said or wrote it) thus carries over to the phenomenon of *interdiscursivity* that covers the broader kind of voice *appropriation* (Fairclough, 2003; Bhatia, 2004, 2017) from different discourses and genres.

3. Results and discussion

In the following sub-sections, I present and discuss the findings of the multimodal analysis of sampled texts in relation to their contextualised and generic structure features, and highlight how specific organisational features of release text draw upon other well-defined ('offline') discourses and genres.

3.1. Contextualising press releases for their activity, purpose and genre

The mission statement of the Curia Press and Information Unit spells out that:

“[t]he Press and Information Unit is mainly responsible for the communication of the judicial activity of the Court and its relations with the press. It drafts and distributes the press releases concerning judgments and opinions which are likely to be of interest to citizens and the media and/or which have an important social or economic impact” (Communication Directorate’s page).

This way of articulating the Unit’s goals and seeking to establish the “media agenda” for “public relations activities” (Kiouisis et al., 2007) lays out quite clearly the genre-based activity and purpose of press releases as prepared by the Unit’s communication staff (hereinafter referred to as the Curia’s press release writers or media professionals, as the context requires).

In essence, sampled press releases are pieces of communication written by “either qualified lawyers or legal academics” (personal communication from Curia Press and Media Services) to report information about the ‘rulings’ or ‘decisions’ delivered by the Judges of the European Court of Justice (ECJ), or about the ‘reasoned opinions’ (or ‘submissions’) delivered by the Advocates General of the same Court regarding the merits of a particular case.² The fact that press releases have a case Judgment or Opinion in subject focus not only suggests that they are organised and used in relation to specific structure, content, style as well as purpose of the “discourse community” (Swales, 2004), or the “disciplinary or social institution” (Bhatia, 2004), but also that they are produced primarily by expert writers seeking to instantly connect with like-minded readers in a community-oriented genre. Yet, we are still informed that press releases are “likely to be of interest to citizens” (Communication Directorate’s page), meaning that they are equally conceived for a more general audience participation in what the Court is

doing and why. In this vein, writing press releases makes what is ‘shared’ by a community a dynamic concept in the public space of the web, and exemplifies how release writers were seeking to set up an information and communication platform by reaching out to the broadest possible audiences – those from within and outside the focused community.

In boiling down to the essence of a Court’s case as well as the broader community-based input, press releases are presented in a distinct case-summary format, signifying that informational source materials (Judgments or Opinions) are regularly *recontextualised* into reports via indirect reporting (attributing what was summarised and reported to other voices). Clearly, this transformative process involves identifying what was actually written in press releases; in other words, measuring and analysing large amounts of texts (Judgments or Opinions) for their reliable content found within case-release summaries across the sample, thus identifying opportunities for this recontextualising process to be better aligned with evidence. But this process of creating concise release texts in the web medium also rely on combined “narrations, arguments and descriptions” (Bhatia, 2004: 60) as the central rhetorical functions or *generic values* (Bhatia, 2004: 60), showing what release writers brought to their writing to express themselves effectively and share with others.

While this process of writing allows for the specificity of the genre to be used for an overall public information purpose, presenting a mixture of values along these established patterns inevitably suggests that the writers created hybrid, middle ground texts between the genre of cases (Judgments or Opinions) as pure reports and the informative press release genre with a reporting function being appropriated to achieve their professional goals. With this hybrid activity at work in the current discourse, Curia press releases can best be thought of as providing the means by which the importance of the online treatment of case informational content is reflected in material communicative goals of the Justice Court (institution-internal communication), and converted into report- and summary-like communicative products that the issuing institution is interested in bringing to the forefront of varied – albeit ‘selective’ – readers, including reporters, through the Curia media professionals (media communication). As valuable tools for this mutual process between institutional communication and media communication, sampled press releases are deployed as asynchronous, one-way forms of communication embodied in part within the medium of computer- and web-enabled communication (Yates & Orlikowski, 1992; Askehave & Nielsen, 2005; Villanueva et al., 2008; Garzone, 2012).

Implied in this mutual process is that the public information model of press releases plays up a good level of legitimacy in the eyes of the writers to attract the attention of media outlets when it is particularly useful for the factual relevance of the case, and to convert press releases into newsworthy items when the media outlets decide to pick up a decision or opinion in the case. In line with this reasoning, it is no surprise that press releases align with “the formal requirements of news reporting” through preformulation strategies (Jacobs, 1999: 113), and foreground the relevance of the news factor in the process of news selection (Shoemaker, 2006) by enhancing an item’s significance, or the newsworthiness, of the case, and creating “news value” in the media reporting (Harcup & O’Neill, 2001). Yet, we may expect that release writers should do more to cover everything from the case information to the news angle, and ideally aim to foster public perception regarding the processes by which the Court considered and resolved their disputes. This is not a truism, since we are dealing with judgments and opinions that are the ‘voice’ of the Justice Court and serve to convey and explain to audiences how the Advocate General provides the Court’s judge with views and arguments that are valuable in order to debate and reach a judgment. Consequently, press releases also function as information carriers to raise public awareness about the foundational processes of fairness and transparency falling upon those institutions.

With these motives and intentions being part of – albeit underplayed in – the current system of internal (institutional) communication and external (media) communication, publishing press releases becomes necessarily broader in rhetorical functions than it is already meant to be in the Unit’s goals across the web site. So there comes the recognition of the genre as serving the clearly expressed, official purpose of informing audiences, including reporters, about the case being disseminated and generating media coverage around the newsworthy case. This couples with the implicit purpose of shaping public opinion and boosting (promoting) the social and institutional role and identity of the Court acting as a final, sole arbiter of justice, and of the Advocate General assisting the Court in the cases assigned to him/her. Acknowledging this complementary set of communicative purposes of press releases necessarily brings out the complexity of several possible layers of purposes as advanced in most prominent text and genre analytical perspectives (Askehave & Swales, 2001; Bhatia, 2004). However, it also emphasises the issues and realities which the public information genre is now dynamically seeking to represent (Bhatia, 2004: 164-168) in

“congruent meanings” (Bazerman, 2003: 380) and “ideologically active [...] social actions” (Bawarshi & Reiff, 2010: 4) embedded, albeit covertly, within the bread and butter of institutional and media communication strategies.

3.2. Generic move structure at a glance

With these contextualising features at work, and following a close analysis of the sampled texts, an eight-move organisational structure was identified to characterise the Curia’s press release genre, as outlined in Table 2.

Generic move structure	%	Rhetorical framing
Move 1 Press release caption	100	introductory material
Move 2 Case identification	100	introductory material
Move 3 Announcing Decision or Opinion in the case	100	press release body
Move 4 Outlining the facts of the case	100	press release body
Move 5 Identifying the legal issues in the case	100	press release body
Move 6 Stating the reasons for the Decision or Opinion in the case	100	press release body
Move 7 Clarifications	100	concluding material
Move 8 Further information	100	concluding material

Table 2. Overall rhetorical move structure of the Curia’s press release genre and move frequency.

As we see, the frequency of obligatory move patterns (found in 100% of the sample texts in the corpus) in this structural model shows that writers are attentive to a highly conventionalised, linear order sequence for text production in which to organise and relay information about the Court’s cases. More precisely, the structural model is one in which the body of textually relevant press releases is constructed across Moves 3, 4, 5 and 6 as necessary to provide instant recounts of the Courts’ Judgments and Opinions in a neutral and detached writing style, with Moves 4, 5 and 6 being also organised recursively in the relevant material. Moreover, Table 2 shows that the structural model relies on traditional features appearing at the start (Moves 1-2) and at the end (Moves 7-8) of the ‘core’ textual format as part of the standardised makeup, reflecting those identified in other types of press release writing (Catenaccio, 2008: 17 and ff.; Tessuto, 2017: 160-161).

Except for Move 8 being embedded within the digital medium of discourse, all of these standardised features and text-based moves allow for (PDF formatted) press releases to be deployed as asynchronous, one-way communication forms or as traditional print texts, meaning that writers and media professionals did not seek any reader feedback on the case. As a result of this specific rhetorical structure and constitutive communication style, the online discourse of the press release as a genre is sufficient to define “a typified rhetorical action in the context of socially defined recurrent situations” (Yates & Orlikowski, 1992: 301), or, like any other offline genres, to describe a rhetorical behaviour of *generic integrity* (Bhatia, 2004). In other words, the structure lays down the established practices of professional writers and the ways they go about achieving their own institutional and media communication goals in online published texts.

Just as this rhetorical move structure ties in with the communicative purposes and actions of the genre, so too it foregrounds the pre-formulating frames that writers used to provide journalists with source texts “requiring little or no reworking” in their news reporting style (Jacobs, 2006: 201). As will be further elaborated in the sections below, pre-formulating is reflected in the ways writers construct the sequence of Moves (3-4-5-6-7) in the ongoing structural description. In essence, Move 3 functions like a news-report Headline in conjunction with a news-report Subhead, with Moves 4, 5 and 6 expanding on the most important information positioned at the top (Move 3) under the guise of an inverted pyramid structure, and Move 7 including information about the role and procedure of the Court issuing release under the guise of a traditional press release Boilerplate information section.

3.3. Rhetorical moves explained

With this generic structure at work, let us now have a closer look at how release writers constructed individual Moves in the rationale of the genre.

Move 1

In Move 1 (*Press release caption*), beginning to frame introductory release material asynchronously in standardised format, writers identify the press release by the institution from which it emanates, serial number/year, place and dateline at the top right corner of the page, with the Curia’s major graphical logo in the top left corner anchoring the institution’s unique identity:

(1) **Curia logo**

Court of Justice of the European Union

PRESS RELEASE No 121/17

Luxembourg, 14 November 2017

Like the traditional wording ‘For immediate release’ used in this type of generic writing, the capitalised, boldface type of the wording **PRESS RELEASE** means that anyone can share the information as soon as it is made public, including the journalists who know what can and should be done with the words ‘press release’.

Move 2

Next, in the top right corner of the introductory material, is Move 2 (*Case identification*) in standard format. Essentially, this links up the Judgment or Opinion with a case number in the Court’s register, followed by the names of the parties to the dispute appearing just underneath outside any mention of the authoring judge:

(2)

Judgment in Case C-165/16

Toufik Lounes v Secretary of State for the Home Department

Move 3

This way of framing the relevant set of case-law data in the official document serves as an opening of the text-based release itself, so that the informativity-level of Move 3 (*Announcing the decision or opinion in the case*) provides a quick summary of the actual decision delivered in the Judgment by the Justice Court, or the Opinion delivered by the Advocate General. These summaries always appear at the centre of the front page in heavy-faced type and larger font size of release documents to perform an attention-grabbing function as in news headlines and other forms of publishing (Ellis, 2001; Infantidou, 2009) and to direct the reader’s attention to the legal outcome in the case. They are invariably followed by a secondary, italicised and smaller font-size descriptive statement (or subheadline) used to complement and further clarify the topic of the decision/opinion covered in the headline. Thus, we read:

(3) **According to Advocate General [name], a national court may, in the event of fraud, disapply the social security certificate of posted workers in the European Union**

Fraud linked to the issue of the E 101 certificates of posted workers represents a threat to the coherence of the Member States' social security schemes, is a form of unfair competition and calls into question the equality of working conditions on national labour markets

As we see in (3), presenting a snapshot of the Attorney General's opinion in the case with a social security in focus, this move is always presented with an adjunct agent structure (*According to ...*) in noun phrase for the attributed source, and the broader segment of the reported speech equally keeps the deontic modality status of the statement, albeit in syntactically discontinuous verb phrase (*may, in the event of fraud, disapply*). By contrast, in the case of a Justice Court's ruling shown in (4), the agent (Court) of the reported material is never identified or cast as the syntactic subject of a verb of communication, but the rhetorical move always involves putting the main points from the source material into the writer's own words (summarising and paraphrasing) as it does with the (deontic) modality status of the statement within the encompassing (summarised source):

- (4) **A non-EU national may benefit from a right of residence in the Member State in which his EU citizen family member resided before acquiring the nationality of that Member State in addition to her nationality of origin**

The conditions for the grant of that right of residence must not be stricter than those laid down by the free movement directive

Even though release writers were solely responsible for the wording of the reported materials, the incorporation of an adjunct agent structure with a clearly distinguishable name seems to be a more effective, personalised way to highlight the professional role of the Advocate General as a 'party to the Court' on points of law that were in doubt, or otherwise missing from this Court. This personalised approach to the rhetorical content of the move squares with the broad legal effects of the Court's decisions, which not only depend on the parties involved in the case and the judges disposing of the case, but also on the assistance of the Attorney General who offers views and arguments that bear on the case.

With these topic framing (sub)titles almost always being the first important elements that readers see and influencing whether or not they continue reading, this snappy move does have a promising public relations goal to fulfil. This move, in other words, helps readers decide at a glance if the case

release is worth reading, and if they decide it is, it may also create a news hook by enabling journalists “to retell the press release in their own news reporting” (Jacobs, 1999: 183), whether or not verbatim.

Move 4

If the *Announcing Decision* or *Opinion* move is a useful lead-in device to grab at least the partial attention of readers, then it is time for writers to funnel down smoothly into the case so that the attention-grabber does not lose its power. So, in Move 4 (*Outlining the facts of the case*), writers flesh out ‘what happened’ in the dispute now before the Court and provide the backbone of the material facts, the parties to the dispute, and other Court’s ruling, appeals, as well as any subsequent action taken under the guise of ‘Lead’ materials. Thus, we read (parties’ names removed by this author in the excerpt):

- (5) Mr X, an Algerian national, entered the UK in 2010 on a six-month visitor visa and then overstayed illegally. Ms Y, a Spanish national, moved to the UK as a student in 1996. [...] Mr X applied for the issue of a residence card as a family member of an EEA (European Economic Area) national. By letter of 22 May 2014, the Secretary of State for the Home Department informed Mr X that his application had been refused. The letter stated that, under the UK legislation transposing the free movement directive,¹ [fully referenced source in footnote] Ms Y had ceased to be regarded as an ‘EEA national’ following her acquisition of British citizenship. [...] Mr X brought a claim before the High Court of Justice of England and Wales, Queen’s Bench Division (Administrative Court), against the decision of 22 May 2014.

As we see, providing instant recounts of factual issues in the case along a short word-length (originally 183 types) serves the purpose of immediately informing the readers about the cause of action (issues of fact) that required the Court to make a final ruling or opinion on the case (issues of law). In releasing the main points about facts, writers intrinsically rely on the traditional ‘*ws*’ and ‘*H*’ questions composing the most important ‘Lead’ parts of a news story (Bell, 1991), so that getting across the essential questions in the case (*Who* were the parties to the lawsuit? *What* was their dispute? *When*, *why* and *how* did their dispute arise?) gives journalists the essence of the story, while also determining whether they will be alerted and directed to news reporting. But releasing such factual news stories is not complete until the writers describe the sequence of events and actions unfolding over time by way of narration. So, the example above shows just how those stories are

retold by writers as third-person objective narrators, and the centrality given to past tense forms (simple past, past perfect) functions as the primary surface markers of narrative discourse (Toolan, 2009).

Over and above, the example in (5) clearly emphasises intertextual elements flowing into the narrative move by way of quotation marks (Fairclough, 1992: 104; Bhatia, 2004: 126). This can be seen with the release writer quoting snatches from the Directive (... *an 'EEA national' following ...*) and always relegating the cited source to a footnote. Used systematically in a range of 1 to 4 instances across the current move, these forms of intertextual quotes are constantly blended with the writer's summary of factual recounts and serve to provide support for the material in the cited source. Besides other 'previously interacting genre-texts', or *systems of genres* (Bazerman, 1994) intertwining with the narrative events (*By letter of 22 May ... / The letter stated ... / Mr X brought a claim before ...*), acknowledging the interaction of the move with other (legislative) texts by quotation marks enables the readers to gain the most vivid interpretation and narrative coherence of events emanating from the writer's account and indirect reports. At the same time, it adds openness and transparency to the reported facts among those readers and reporters landing on the release move content from across the public space of the web.

In keeping to the context and purpose of the current communicative move, writers are also obedient to the conventionalised, 'insider speak' leaking through different kinds of language features. These are realized by community-specific acronyms (such as, *EEA* for *European Economic Area*, or *CCBT* for *Common Consolidated Base Taxation*) and terms for institutional roles (such as *High Court of Justice*, *Queen's Bench Division*), alongside specialised lexis appearing mostly in the form of nominals (such as, *free movement directive*, *social security contribution*, *preliminary ruling procedure*) and Verb+Noun collocational patterns (such as, *brought a claim*, *referred a question*, *rejected his appeal*), as required by the content of the case.

Move 5

Just as the factual issues are important to give a foretaste of the ruling/opinion in attention-grabbing 'Lead' paragraphs, so too the legal issues here have to funnel through the case in similar paragraphs. So in Move 5 (*Identifying the legal issues in the case*), writers set one or more legal issues that were at 'question' in the case, as in:

- (6) The Tribunal da Relação do Porto (Court of Appeal, Oporto) has doubts regarding the interpretation of the directive and asks the Court of Justice whether the minimum uninterrupted weekly rest period of 24 hours to which a worker is entitled must be provided no later than the day following a period of six consecutive working days.² [fully referenced source in footnote]

This example shows that writers always rely on *whether* (or alternatively *if*) to report (by summary) the basic (indirect, polar-opposite *yes* or *no*) questions ‘of law’ that were to be decided by the judge in the case with corresponding conclusions. However, it also illustrates that the writers never abstain from intertextual references to other cited sources they actually needed at any one time. This way of restating legal questions seems to determine nothing less than showcasing the newsworthy angle of the case to its fullest potential, and leaving the journalist or the public wanting to know more.

Move 6

In Move 6 (*Reasons for the Decision or Opinion in the case*), release writers relocate information about factual and legal issues (Move 4 and 5) within the established legal paradigms of the action set out by the Court or Attorney General. By so doing, they provide an informative synopsis of the legal decisions or opinions and corresponding conclusions as derived from the arguments considered in support of, or against, the principles for those decisions/opinions, by including any other significant observation made by the Court/Attorney, as well as any primary, secondary or other sources of law in intertextual frames they had to deal with. Thus, in the excerpt below from the Court’s Judgment, we can see what goes into this informational move constructed at a short length (originally 258 words), where case information dictates its distribution between writer’s account and indirect report:

- (7) By today’s judgment the Court observes, first of all, that, according to Article 62 of the convention, **the word ‘court’ includes any authorities** designated by a State bound by that convention as having jurisdiction in the matters falling within its scope. Furthermore, it is clear from the explanatory report on the convention² [fully referenced source in footnote] that that article takes a functional approach, [...]. Next, the Court finds that, as a general rule, under Swiss law the institution of a civil action must be preceded by **conciliation proceedings**, and the failure to comply with that obligation has the result that any subsequent legal proceedings will be rendered inadmissible. The conciliation proceedings (which are subject to the *audi alterem partem*

principle) **may result in the delivery of a binding judgment**, a draft judgment which may become final if [...]. The Court also finds, first, that the conciliation authorities are subject to the **guarantees** laid down by Swiss law on the disqualification of magistrates of which those authorities are composed and, second, that the latter perform their **duties** in a wholly independent manner. In those circumstances, the Court declares that, in carrying out the function conferred on them in civil matters, **the Swiss conciliation authorities may be classified as ‘courts’ for the purposes of the convention.**

In keeping to this pattern between writer’s voice and attributed voices, writers are able to give an understanding of the decision as briefly and succinctly as possible. They do so by objectively covering the major commentary (consideration) on the legal arguments presented by the judge (... *the Court observes, first of all, that ...*), followed by more than one ratio for decision on the identified issues (*Next, the Court finds that ... / The Court also finds, first, that, ... and, second, that ... / ... the Court declares that ...*) in consecutive, unmodified reporting clauses, which simply conclude on the outcome of the case. In such reporting clauses, (third-person singular) active simple present tense forms of specific verbs (e.g. *admit, acknowledge, answer, consider, clarify, conclude, emphasise, explain, make clear, note, observe, state, take the view*) are the most common in stating the outcome of the case in either decision or opinion, and fit into the course of a reported argument and discourse by way of performative (expositive) verbs (Levinson, 1983), as shown from an excerpt of the Advocate General’s opinion below:

- (8) In his Opinion delivered today, **Advocate General [name] considers, first, that the terms of the directive [...].** The Advocate General also states that one of the key criteria for granting subsidiary protection is [...].

However, other (third-person singular) active simple present verb forms (*allows, declare, direct, dismiss, find, hold, and order*) are also used performatively in the underlying clause of reported decisions alone, where they make explicit the precise action being carried out in the utterance, whether as verdictives (*declare, find, hold*) or exercitives (*allow, dismiss*), as shown from excerpts of the Court’s decision:

- (9) In addition, **the Court holds that an applicant for international protection can rely on the expiry of the six-month period. That is true irrespective [...].**

Intuitively, the emphasis on this set of explicit performative verbs (verdictives and exercitives) in the reporting clauses of decisions is self-explanatory of the role of the Court in determining questions of fact and law. In other words, we are made aware of the Court acting as a final, sole arbiter of justice for the matters at hand, as noted before.

As we read through the examples above, the major arguments for the decision and conclusion are still noticeable in the layout presentation, where they are displayed in comfortable heavy-faced type to expand on the snapshot decision ‘announced’ previously within (**bolded**) Move 3. The upshot of these move-level recounts arranged in responsive, fluid typography is twofold. On the one hand, they help readers get their head around complex issues now being argued about by the Attorney General, or otherwise disposed of by the Court. On the other, because of their significance of facts, they work as points of reference for the journalists to take their news selection decisions as to the impact (negative or positive, social or economic) of the case, and in the latter instance they serve as cleverly prefabricated materials for journalists to reproduce, perhaps verbatim, in news discourse.

As part of this pre-formulating process, the examples above give writers something more to aim at. We can observe the more neutral “third-person self-reference” (Jacobs, 1999) to the Court as opposed to the more personalised “third-person self-reference” to the Attorney General (*Advocate General + name*) featuring prominently across this move. Very obviously, this kind of reference is one which emphasises the authoritative, institutional voice, role, and identity of either Court in presenting a streamlined and objective reasoning on the case. But the repetition of such a reference across the running text is still being cleverly prefabricated in standard material for reuse by the journalists, who may easily retrieve any significant chunk from those *that*-clause statements with the institution in subject position (... *the Court holds that ... / Advocate General [+ name] considers that ...*), and consequently reproduce it for their own reporting. Allied with such referentially situated institutions in the running text is the regular use of a temporal reference point, or time deixis (Levinson, 1983: 54, 62; Renkema, 1993: 79), expressed by the time adverbial ‘today’ (*By today’s judgment the Court observes ... / In today’s Opinion, Advocate General [+ name] takes the view ...*), which serves to express what happened in point of time by “claim[ing] it as potential ‘news’” (Sacks, 1992: 172).

In addition to these metapragmatic features, writers in this move cannot still get away from intertextuality by referencing readers to other layers of (legislative and other) texts and meanings by footnotes, and similarly allow this concluding, rhetorical, ‘core’ framing of press releases to respond to the stylistic features that are the hallmarks of legal discourse. As shown in (7), a number of lexical and syntactic elements (e.g. *action*, *audi alterem partem*, *delivery of a binding judgment*, *bring legal proceedings*, *having jurisdiction in the matters falling within its scope*, *under*) are not just there to abide by the relevant content of the case, they also create a high level of formality in the ongoing discourse. Such elements, therefore, establish a meaningful mindshare with the target audiences, including the knowledgeable media, in the public relations process, as noted before.

Move 7

Structuring release move contents for institutional and media communication goes alongside other content criteria for dealing with the Internet and letting press releases work for media professionals. As part of the concluding framing material in a standardised but also textual format, Move 7 (*Clarifications*) provides a useful explanation of the Court’s procedures in the form of ‘Notes’. In the excerpt case of a release Opinion, we read:

- (10) **NOTE:** The Advocate General’s Opinion is not binding on the Court of Justice. It is the role of the Advocates General to propose to the Court, in complete independence, a legal solution to the cases for which they are responsible. The Judges of the Court are now beginning their deliberations in this case. Judgment will be given at a later date.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of European Union law or the validity of a European Union act. The Court of Justice does not decide the dispute itself. [...].

On the face of it, this focus on explanatory notes is now taking the media public relations strategy into a different course that was not there before. This is to say that the move creates more opportunities for the journalists and the wider (non-disciplinary) audience to understand about the essential role of the institution (Advocate General), and about certain procedures in references for a preliminary ruling before the Justice Court. Where these

Notes are taken to function like a comprehensive Boilerplate explanatory profile of the institution publishing the release and work to put the release in context for the journalists, it seems fair to say that they are still appropriate pre-formulating materials in that the same information can now be useful for the journalists' own readership. More important still, creating opportunities to understand matters of legal procedures can be seen in the example by the deictic item 'now' used to conveniently "nam[e] some day on which the reported event happened" (Sacks, 1992: 172), thus offering one last piece of prefabricated material for news reporting.

Move 8

In concluding the framing structure of press releases, the standard format of Move 8 (*Further information*) provides a short and to-the-point message in italics. As shown in (11), this is achieved by the writers specifying the unofficial, media use of the document and providing appropriate links for case and other information, as well as the media professionals' contact details at the bottom centre of the (press release) text-page:

- (11) *Unofficial document for media use, not binding on the Court of Justice.
The full text of the judgment is published on the CURIA website on the day of delivery.
Press contact (name +phone number)
Pictures of the delivery of the judgment are available from "Europe by Satellite"(+
phone number)
www.curia.europa.eu*

As part of the constitutive, one-way style of communication noted before, this move shows that media professionals are simply deploying a static set of "hyperlinks" (Askehave & Nielsen, 2005), allowing readers as web users as well as reporters to retrieve the full judgment or opinion in a passive, view-only and one-way interaction, or to access multi-media (audio and video *Europe by Satellite*) information about the Courts' rulings and other institutional content from EU institutions (policies and issues) in the same one-way fashion. Even though these static navigational links, appearing as inherently intertextual artefacts, are arranged for the reader Internet-facing site and the participants' social interaction or 'presence' is characteristically non-existent, the "functionality" (Villanueva et al., 2008) of the electronic, digital medium still has a role to play among those readers/users. This is because the linking mode "adds a functional dimension to the rhetorical strategies and intentions" (Tessuto, 2017: 161) already fulfilled by the move

activities, and promotes greater openness, transparency, and accessibility to Curia and other EU affairs.

4. Further discussion and conclusion

This paper has described and interpreted how the online public information genre of the Curia press release is shaped within institutionalised contexts of professional communication and how context and structure are dependent upon other offline discursive and generic practices.

Analysis has shown how the conventionalised rhetorical move structure and the salient linguistic features typify the communicative purposes of release writers and media professionals as they treat information and disciplinary knowledge about the case-related activity of the Court in institutionalised and media communication channels that are within their own control over the site, and the ways in which writers come across effectively to the audiences and the journalists when enticing them to read about, or report about the case. Reliance on a broadly pre-formulated process and mere adaptation from certain structural features of the reporting, albeit hybrid, release genre offers potential opportunities for writers to draw the public's eye to the case-related topic over the web, and for the journalists to know what the case is all about right from the beginning of release, therefore enabling them to make their own determinations as to the relevance, or newsworthiness, of a case. How much journalists are likely to exploit from what has been prefabricated for them by release writers is hard to say at this stage, and therefore falls outside the realm of this study.

Standing alongside the organisational move patterns is the predictable network of discursive contexts and practices emerging from the case round-up and meaningful process described by this author as “generic replicability” (Tessuto, 2012: 20 ff.). It is hardly worth mentioning that this process involves release writers drawing from, and interacting with, previous legal discourses in intertextual connections through a pattern known as *manifest intertextuality* (Fairclough, 1992, 2003), or similarly borrowing from the judgment and opinion genres through several patterns known as *constitutive intertextuality* (Fairclough, 1992), or *interdiscursivity* (Fairclough, 2003; Bhatia, 2017), the latter grounded in a “creative appropriation or manipulation of prior formulations of discursive actions within and across professional practices and cultures to construct new and creative forms of professional

genres” (Bhatia, 2017: 46; 2004). This replicability process is supported by two interrelated reasons behind the formal logic of the report genre. Firstly, writers are concerned with drawing up informative press releases on the basis of source materials in fairly regular and predictable ways since they provide release texts with a similar organisational structure to case Judgments or Opinions. Here, in fact, it is normal practice that information from any one type of cases includes the name of the case and its parties, the factual and legal issues raised in the case alongside the reasons for decisions or opinions argued in the case (Tessuto, 2018: 205-214). Secondly, and more specifically, this replicability of source materials spills over into a series of moves, or rhetorically distinct purposes and activities (Move 3, 4, 5, 6), where writers are able to borrow faithful content, rhetorical conventions, as well as language style from the professional practices of the offline (ECJ) Judgment and Opinion genres to shape their own release texts according to their goals. Obviously, the extent to which this content within Judgments or Opinions is retained within press releases depends upon the rhetorically narrow configuration of the release texts produced in the standard report- and-summary format. But, because press releases are produced for the writers’ goals, the inclusion of other elements (Move 1, 7, 8) inevitably expands the fairly regular relationship with the generic structure of Judgments and Opinions, thus modifying the source materials according to well-established conventions of the press release genre. In other words, this provides press releases with their most typical features alongside the reverse pyramid structure and other such features noted throughout the analysis.

It therefore stands clear that this replicability process constructed across a series of rhetorically distinct moves is responsible for the ways previously enacted legal texts and discourses (Judgments, Opinions, etc.) take shape in a shift towards a different context (press release), and for the ways they are negotiated in such a shift. In this vein, this study shows how release writers are concerned with selective strategies of *recontextualisation* deriving from material that is moved within a new context via writer’s voice and other attributed voices in indirect reporting (summarisation), intertextual quotes and interacting genre-texts. Of course, these strategies are not the same as communicating suitably ‘dumbed down’ lay versions of case informational press releases to the public at large, as might be the case of *popularisation* analytic discourse strategies (Ciapuscio, 2003; Calsamaglia & van Dijk, 2004; Gotti, 2014). However, reliance on the rhetorical processes of *recontextualisation* examined here (similar to other processes such as *reframing*

or *resemiotisation* dealt with elsewhere) can only assist release writers in quickly conveying, clarifying and explaining to ‘varied’ (legal and general) audiences how the Court settled a legal dispute in complex and lengthy rulings, or how the Advocate-General considered all the different views and arguments in the case brought before the Court. These processes, in turn, help legitimise the regulatory voices and self-identities of those institutions in open and transparent ways over the web in much the same way as they locate the press release genre within the complex interrelations between texts, audiences, contexts and cultural practices that are extremely fluid and constantly shifting in terms of discourses. By the same token, such processes militate in favour of the current system of institutional and media communication, whose participants (release writers and media professionals) aim towards cutting crossways through situated genres in the process of re-working information and sustaining news agenda strategies as part of their public relations goals on the web.

Consequently, the mobilisation of intertextual and interdiscursive resources within this kind of communication can only be seen as allowing the Curia’s press releases to inform and to promote the transparency of the institutional activities done by the Courts. By the same token, this mobilisation goes some way towards explaining a “process of genre change”, on account of the previous, offline genres and professional discourses inhabiting “a multimodal ‘double’” territory and “resulting from their migration to the web” (Garzone, 2012: 34).

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NOTES

¹ Curia press releases available at <https://curia.europa.eu/jcms/jcms/Jo2_16799>.

² More specifically, these are opinions which considered all the different views and arguments that might apply to the case brought before the ECJ for its final decision/ruling.