

*No man can be supposed to be indifferent to the knowledge of facts.*

**The passive of reporting verbs in judicial writing:**

**“be expected to” vs “be supposed to”**

Passive structures with reporting verbs have been extensively discussed in previous research and shown to play a role in marking evidentiality (see, e.g., Noël and van der Auwera 2009; Breeze 2017). In agreement with this, the constructions *be expected to* and *be supposed to* give a semblance of objectivity to the speaker’s or writer’s claims without specifying the source. In its evidential use, *be expected to* calls in “an unspecified source, from whose implied existence the relative factuality of the statement can be inferred” (Noël 2001: 270). Similarly, *be supposed to* implies that the author backgrounds the source and conveys evaluative overtones.

It should also be observed that while *be expected to* and *be supposed to* are linked to evidentiality, they are also used to express deontic meanings (social/moral obligation or participant-external obligation, respectively). Interestingly, as diachronic corpus data suggest (Breeze 2017), over the past 200 years, evidential and non-evidential meanings of the two constructions have been exploited with varying frequencies, with deontic *be expected to* shifting towards expert prediction and evidential *be supposed to*, conversely, giving way to deontic meaning. In addition, considering the appreciable rise in frequency of *be supposed to*, it has been posited that the latter is being grammaticalized, unlike *be expected to*, showing a downward trend (Breeze 2017).

Against this background, and bearing in mind that the above findings reflect trends found in non-legal corpora, the current study examines the diachronic development of *be expected to* and *be supposed to* in the genre of judicial opinions, with a special focus on the evidential uses of the two structures. Drawing on data from the SCOTUS corpus (1790s–present), it looks at how they have been used in US Supreme Court opinions over the past 200 years and demonstrates that judicial writing exhibits frequency patterns which differ from trends noted in less formal settings. The analysis also reveals that *be expected to* tends to be linked to impersonal voice and reasonableness (e.g. *could reasonably be expected to*) while *be supposed to* seems to favour the present perspective and third-party references (e.g. *is supposed to be conusant*).

In sum, it is argued that the patterns of use of the two structures point to discipline- and genre-specific construction of stance and authority which is reflective of judges’ way of thinking and such disciplinary values as reasonableness and respect for facts.

**Keywords:** corpus, evidentiality, judicial opinions, passive, reporting verbs, US Supreme Court

## References

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