

STYLISTIC EVALUATION OF LEGAL DOCUMENTS

[Muniba Saeed]

[M.Phil Applied Linguistics]

Submitted in [partial] fulfilment of the requirements for the degree of

[Master of Science in Applied Linguistics]

School of Social Sciences and Humanities

Department of English Language and Literature (DELL)

University of Management and Technology, Lahore

[August, 2014]

Abstract

The present study is a genre evaluation of Pakistani legal documents in comparison with international legal documents. The core objective of the study is to identify the genre features of legal documents to help the professional lawyers know the features of written legal discourse to improve their professional writing skills. Further, the present research aims to quantify the linguistic features of legal documents and to suggest some practical ways to ESP course designers for designing effective English language course for EFL users in legal domain. The researcher has selected six legal documents as sample; two court judgements, two agreements and two international treaties. Descriptive quantitative research methodology was applied to measure the linguistic features of written legal discourse. The focus of the study was to evaluate the documents at Graphological, Lexical, Syntactic, Semantic, Pragmatic, Discourse levels. These categories were further divided into linguistic features and every feature was quantified using frequency as information analysis tool to deal with discreet data. This analysis was presented through charts and tables. The findings revealed that the repetition and over use of certain linguistic features i.e. synonymy, legal jargons and complex and long sentences are the hallmark of legal documents. These linguistic features should be dealt carefully while teaching English as foreign language to yield better results in improving reading comprehension and legal writing skills of professional lawyers and the students of law.

Lahore

2014

CERTIFICATE OF APPROVAL

Accepted by the Faculty of the Department of English Language and Literature, School of Social Sciences & Humanities, University of Management and Technology, Lahore in partial fulfillment of the requirements for the degree of M.Phil in Applied Linguistics

Prof. Rao Jalil Ahmad

Supervisor

Prof. Dr.

External Examiner

Prof. Rao Jalil Ahmed

Chairman

Prof. Dr. Abdul Hameed

Dean, SSS&H

Date: _____

Acknowledgements

All praise is to Allah Almighty Who is the most beneficent and merciful. I hereby yield my humblest gratitude to Allah who is the source of all knowledge and wisdom in this universe. I am thankful for His countless blessings i.e. good health, learning opportunity and His guidance through every thick and thin to prove my guts and capabilities.

My humblest gratitude to my spiritual source of motivation i.e. Holy Prophet (PBUH) who has been my guiding star in the times of struggle and strife for truth.

I am also thankful to my supervisor, Prof. Rao Jaleel Ahmed for his kind assistance and guidance in dealing with complex and intricate ideas during my present research.

Further, I am also grateful to all of my friends and colleagues who kindly read my research work and gave their valuable advice to refine my present research work.

I am also happy to extend my deepest gratitude and regard to my parents whose priceless prayers have always been at the back of my achievements in life. They have always backed me up and kept me move on to attain my objectives. Finally, I also want to convey my thanks to my beloved husband who always stood by me and supported me sincerely to accomplish my degree of M.Phil in Applied Linguistics.

DEDICATION

Dedicated to

My parents and my husband

Who have always been a motivating force for me to attain my objectives

LIST OF FIGURES

Figure 1: Cases Weighted By Technical Terms.....	70
Figure 2: Cases Weighted By Foreign Words	78
Figure 3: Cases Weighted By Binomials	86
Figure 4: Cases Weighted By Nominalization.....	89

LIST OF TABLES

Table: 4.1- Capitalization in LHCJ.....	50
Table: 4.2- Capitalization in SCJ.....	51
Table: 4.3-Capitalization in ARS.....	52
Table: 4.4- Capitalization in PPA.....	53
Table: 4.5- Capitalization in ABMT.....	54
Table: 4.6- Capitalization in APPI.....	55
Table: 4.7- Frequency distribution of “capitalization” in Legal documents.....	57
Table: 4.8- Frequency distribution of “blank places” in Legal documents.....	59
Table: 4.9- Frequency distribution of punctuation marks in Legal documents.....	61
Table: 4.10- Frequency distribution of “enumeration/lists” in Legal documents.....	63
Table: 4.11- Frequency distribution of “references” in LHCJ.....	64
Table: 4.12- Frequency distribution of “references” in SCJ.....	64
Table: 4.13- Frequency distribution of “references” in ARS.....	65
Table: 4.14- Frequency distribution of “references” in PPA.....	65
Table: 4.15- Frequency distribution of “references” in ABMT.....	65
Table: 4.16- Frequency distribution of “references” in APPI.....	66
Table: 4.17- Frequency distribution of “references” in the Sample Legal Documents.....	67
Table: 4.18-Frequency distribution of “archaic words” in Legal documents.....	68
Table: 4.19-Frequency distribution of “technical terms and jargons” in Legal documents.....	69
Table: 4.20- Frequency distribution of collocations in LHCJ.....	71
Table: 4.21- Frequency distribution of collocations in SCJ.....	71

Table: 4.22-Frequency distribution of collocations in ARS.....	72
Table: 4.23- Frequency distribution of collocations in PPA.....	73
Table: 4.24- Frequency distribution of collocations in ABMT.....	74
Table: 4.25- Frequency distribution of collocations in APPI.....	74
Table: 4.26- Frequency distribution of collocations in the Sample Legal Documents.....	75
Table: 4.27- Frequency distribution of “words of foreign origin” in Legal documents.....	76
Table: 4.28- Frequency distribution of “idioms & proverbs” in Legal documents.....	79
Table: 4.29- Frequency distribution of “gradable adjectives” in Legal documents.....	80
Table: 4.30- Frequency distribution of “compound words” in Legal documents.....	82
Table: 4.31- Frequency distribution of “binomials” in Legal documents.....	83
Table: 4.32- Frequency distribution of “short and long sentences” in Legal documents.....	87
Table: 4.33- Frequency distribution of “nominalization” in Legal documents.....	88
Table: 4.34- Frequency distribution of Passive voice constructions in Legal documents.....	89
Table: 4.35- Frequency distribution of “Negative Constructions” in the sample corpus.....	90
Table: 4.36-Frequency distribution of third person pronouns in the sample corpus.....	91
Table: 4.37- Frequency distribution of neutral pronouns in the sample corpus.....	91
Table: 4.38- Frequency distribution of “modals” in Legal documents.....	92
Table: 4.39- Frequency distribution of different speech acts in the sample legal texts.....	93
Table: 4.40- Frequency distribution of conjunctions in LHCJ.....	94
Table: 4.41- Frequency distribution of conjunctions in SCJ.....	95
Table: 4.42- Frequency distribution of conjunctions in PPA.....	95
Table: 4.43- Frequency distribution of conjunctions in ARS.....	96
Table: 4.44- Frequency distribution of conjunctions in ABMT.....	97

Table: 4.45- Frequency distribution of conjunctions in APPI.....	97
Table: 4.46. Frequency distribution of cohesive devices in sample legal texts.....	98
Table: 4.47- Frequency distribution of nouns in LHCJ.....	99
Table: 4.48- Frequency distribution of nouns in SCJ.....	99
Table: 4.49- Frequency distribution of nouns in PPA.....	100
Table: 4.50- Frequency distribution of nouns in ARS.....	100
Table: 4.51- Frequency distribution of nouns in ABMT.....	101
Table: 4.52- Frequency distribution of nouns in APPI.....	101
Table: 4.53- Frequency distribution of repetitive nouns in the sample Legal Documents.....	102

LIST OF ABBREVIATIONS

Abbreviations

Definitions

ABMT:	Anti Ballistic Missile Treaty
APPI:	Agreement for the Promotion and Protection of Investment
ARS:	Agreement of Revenue Sharing
EAP:	English for Academic Purposes
EFL:	English as Foreign Language
EOP:	English for Occupational Purposes
ESL:	English as Second Language
ESP:	English for Specific Purpose
FIR:	First Investigation Report
LHCJ:	Lahore High Court Judgement
PPA:	Power Purchase Agreement
SCJ:	Supreme Court Judgement