

Stylistic Study of Legal Language

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Abstract: The present paper is aimed at stylistic study of legal language. Analysis is done by identifying stylistic devices, their impact on text and communicative function, these markers carry. Rudimentary introduction of stylistics and legal register is given in the very beginning and then legal language is analyzed on three basic stylistic levels; graphological, lexical and syntactic level. A legal document is selected as sample. Examples are provided from given sample to explain each and every feature. Keeping in mind the pedagogical implications, analysis is done minutely and explained properly. It is effective and beneficial treatise for present and also for further future researches.

Keywords: style, stylistics, register, legal language, graphological, lexical, syntactic level.

INTRODUCTION

Legal English or language of law is the style of English used by lawyers and other legal professionals in pleadings, legal writing and the drafting of written material. Different dimensions of legal language are

- *Legal documents; like contracts, licenses, etc.*
- *In court pleadings; such as summonses, briefs, judgments, etc.*
- *Laws; for examples Acts of Parliament and subordinate legislation, case reports, etc.*
- *And legal correspondence.*

Traditionally, Legal English was property of lawyers from English-speaking countries such as U.S., the UK, Canada, Australia, New Zealand, Kenya, and South Africa, which have shared common law traditions. But legal English is now a global phenomenon used throughout the world that's why it is referred, now a day, as lawspeak or legalese.

THEORETICAL FRAME

I. Style

It is widely defined term but not a single couple of definitions stand similar. Its definition varies scholar to scholar. The core definition of style is: "*Style is appearance; as things appear. It is the way in which things are presented, ideas are expressed, words are uttered or texts are written*". Leech and Short (1981) defined it as "*Style refers to the way in which language is used in a given context, by a*

given person, for a given purpose, and so on (p 10). Its person's distinctive language habits or the set of individual characteristics of language use e.g.

- *Hemingway's style,*
- *Shakespearean style,*
- *T.S Eliot's style*

Also its language habits shared by a group of people at one time, or over a period of time

- *Classical style,*
- *Style of legal document, or*
- *Style of advertisement.*

Concisely speaking, style is a particular manner of language, utilizing particular and prominent linguistic features, devices or patterns, most (or least) frequently occur in a particular text of a particular variety of language

II. Stylistics

It is simply the study of style: a discipline that studies the ways in which language is used; it is a discipline that studies the styles of language in use. Leech and Short (1981) defined it as "*Stylistics is the study of style, is rarely undertaken for its own sake, simply as an exercise in describing what use is made of language*" (p 13). *Broadly speaking, it's of two kinds:*

- **Literary stylistics:** *concentrating on the unique features of various literary works, such as drama, novel, poem, prose, etc.*
- **General stylistics:** *concentrating on the general features of various types of language use, including literary discourses and other practical styles*

III. Levels of stylistic analysis

Stylistics is the study of style, so the analysis of the text in the domain of stylistics covers variant levels. These levels include graphology, grammatical, lexical, syntactic, discourse, prosodic, semantic, and pragmatic and phonology. Analysis of the sample of a text is done according to the features of these linguistic levels.

- **Lexical level:** it studies the choice of specific lexical items in a text, their distribution in relation to one another, and their meanings.
- **Syntax level:** it refers to sentence structures and rules for ordering and connecting words into sentences
- **Semantic level:** it's related to the overall meaning of a text.

- Graphological level: this level is about writing system; the appearance of the text. Its general umbrella term including grammar, punctuation, derivation, foregrounding etc

IV. Legal Register

Register is situational based variety of language. It is “according to use” variation” because it is situation and condition of use of language not user that defines a register. In a given situation of a register all users will speak similarly and all documents will be written likewise. David Crystal (2004) has an authoritative stylistic influence upon English legal language. During the Medieval period lawyers used a mixture of Latin, French and English. To avoid ambiguity, lawyers often offered pairs of words from different languages. Sometimes there was little ambiguity to resolve and the pairs merely gave greater emphasis, becoming a stylistic habit. This is a feature of legal style that continues to the present day. Examples of mixed language doublets are: "breaking and entering" (English/French), "fit and proper" (English/French), "lands and tenements" (English/French), and "will and testament" (English/Latin). Examples of English-only doublets are "let and hindrance" and "have and hold".

Modern English vocabulary draws significantly from Germanic languages, French, and Latin, the lattermost often by way of French. These vocabularies are used preferentially in different registers, with words of French origin being more formal than those of Germanic origin, and words of Latin origin being more formal than those of French origin. Thus, the extensive use of French and Latin words in Legal English results in a relatively formal style.

Furthermore, legal English is useful for its dramatic effect: for example, a subpoena compelling a witness to appear in court often ends with the archaic threat "Fail not, at your peril"; the "peril" isn't described (being arrested and held in contempt of court) but the formality of the language tends to have a stronger effect on the recipient of the subpoena than a simple statement like "We can arrest you if you don't show up".

HISTORICAL BACKGROUND

Modern legal English is based on Standard English. However, it contains a number of unusual features. These largely relate to terminology, linguistic structure, linguistic conventions, and punctuation, and have their roots in the history of the development of English as a legal language. In prehistoric Britain, traditional common law was discussed in the vernacular since time immemorial. The legal language and legal tradition changed with waves of conquerors over the following centuries. Roman Britain followed Roman legal tradition, and its legal language was Latin. Following the Roman departure from Britain circa 410 and the Anglo-Saxon invasion of Britain, the dominant tradition was instead Anglo-Saxon law, which was discussed in the Germanic vernacular (Anglo-Saxon, Old English), and written in Old English since circa 600, beginning with the Law of Ethelbert. Following the Norman invasion of England in 1066, Anglo-Norman French became the official language of legal proceedings in England for a period of nearly 300

years (and continued in minor use for another 300 years), while Latin was used for written records for over 650 years. Some English technical terms were retained, however. In legal pleadings, Anglo-Norman developed into Law French, from which many words in modern legal English are derived. These include property, estate, chattel, lease, executor, and tenant. The use of Law French during this period has an enduring influence on the general linguistic register of modern legal English. It also accounts for some of the complex linguistic structures employed in legal writing. In 1363, the Statute of Pleading was enacted, which stated that all legal proceedings be conducted in English. This marked the beginning of formal Legal English; Law French continued to be used in some forms into the 17th century, though it became increasingly degenerate.

From 1066, Latin was the language of formal records and statutes, being replaced by English in the Proceedings in Courts of Justice Act 1730. However, since only the learned were fluent in Latin, it never became the language of legal pleading or debate. The influence of Latin can be seen in a number of words and phrases such as *ad hoc*, *de facto*, *bona fide*, *inter alia*, and *ultra vires*, which remain in current use in legal writing.

METHODOLOGY

Stylistic analysis features the court pleading that is a judgment of the case against the parliamentarians holding dual nationality. The sample incorporates the detailed verdict that was declared on 18th September 2012. The case was filed against parliamentarians having dual nationality under CONSTITUTION PETITION NO.05/2012 AND CMA NOS.2382, 2487, 2492, 2876 & 3446/2012.

Dates of Hearing:

08th, 10th, 16th, 25th & 30th May,

04th 13th, 21st & 25th June, 02nd

03rd, 04th & 23rd July, 09th, 12th,

17th, and 18th September 2012.

STYLISTIC ANALYSIS

I. Graphological level

- a) **Layout:** Layout refers to the sketch or plan of the text's physical appearance. This includes paragraphing, indentation, and graphic choices, viz., capitalizing, italicizing, underlining and bold-typing. Crystal & Davy called the general

layout of legal texts as “solid block”. Solid block is characterized by long lines that are from margin to margin and without any use of spacing or indentation to indicate the limits of the paragraphs or the relation between them. So, it was common to compose an entire document in the form of one single sentence. Apart from it, there are certain layout norms to adopt during drafting such as paragraph division, indentation, punctuation, capitalization, bold-typing, and italicization etc. Each of which has a function within legal texts; their use renders these texts more cohesive and coherent.

b) Use of Italicization and Bold text:

It is very important graphological feature of any legal document that words, phrases and even sentences are italicized and boldfaced to show emphasis.

- Learned Attorney General for Pakistan appeared and raised the question as to whether under Article 63(1) (c) of the Constitution “*a person shall be disqualified from being elected or chosen as, and from being, a member of Majlis-e-Shoora (Parliament), if he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign state.*”
- In “*The Interpretation and Application of Statutes*”, Reed Dickerson, at page 135 discussed the subject while dealing with the importance of context of the statute.
- On behalf of the respondent No.5 Punjab Government, objections were taken about the maintainability of the petition, however, relied upon the principles laid down in the **case of Umar Ahmad Ghumman versus Government of Pakistan and others.**
- **In the Words and Phrases Permanent Edition 7A**, the word ‘*comma*’ has been defined as under:- “*A ‘comma’ is a point used to mark the smallest structural divisions of sentence, or a rhetorical punctuation mark indicating the slightest possible separation in ideas or construction.*”

c) Capitalization:

One of the characteristic features of legal documents is capitalization of words and especially initial letters. It is done either by writing the words in larger font size than the remainder of the text, or by writing it in all caps. Capitalization of initial letters is in the texts used widely. Capital letters can be seen in the following places:

- Names of the participators: *Devisee, Creditor, Client, Grantor, Grantee,*
- Occupations: *Lawyer, Police Officer, the League President, Head of Institution*

- Organizations and institutions: *Players Association, Crime Agency, Trade Union*
- Instruments/documents: *Agreement, Basic Agreement, Will.*
- *Main sections: Schedule 8, Article IV. Section 4.*
- Sums of money when they are set in words: *four hundred dollar, thirty thousand rupees.*

d) **Missing lines and use of dots:**

The common feature to all the documents to be mentioned is the presence of lines on which the missing but relating data need to be filled in.

- *The essence of the language is to reflect, express, and perhaps even affect the conceptual matrix of established ideas.*
- He is, in the case of the National Assembly, not less than twenty-five years of age and is enrolled as a voter in any electoral roll in

e) **Punctuation**

Another prominent characteristic of English legal texts is the absence of punctuation. As it is normally known punctuation helps reading a piece of writing loudly. The reason is to avoid forgery. Punctuation is easy to put and erase from documents so it may create grave change in legal meanings. So, punctuation is, normally, avoided in legal texts. Thinness of punctuation and presence of long uninterrupted sentences also effective for higher level of formality in legal language. Despite the fact that legal writings lack proper and extensive use of punctuation, there are some ways of using punctuation where it is needed. For example

1. **Use of brackets:** Some examples from the document are following.

- *Through this petition, filed under Article 184(3) of the Constitution of Islamic Republic of Pakistan, 1973 [hereinafter referred to as 'the Constitution'],*
- *In support of his contentions, he relied upon the case of Al-Jehad Trust versus Federation of Pakistan, (1999 SCMR 1379).*

2. **Comma, colon, semi colon, hyphen, slash etc.** Generally, commas, semi-colons and full stops appear where there is the necessity to emphasize the beginning or end of a phrase, clause or sentence, or new and highly important or contrastive information that has an essential effect. Commas and semicolons are also used for the

separation of individual items where needful, usually when an enumeration is done; commas and dashes are employed in cases where additional information is inserted.

- *Mr. Imtiaz Rashid Siddiqui, ASC representing Mr. Jameel Malik, MNA while questioning the maintainability of the petition, contended that his client was adopted as son by his real uncle in the year 1970.*
- *Here-in-below relevant parts of Articles 62 & 63 (1) (c) of the Constitution as well as Section 14 of Pakistan Citizenship Act, 1951:*
- *A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless:-*
- *A person shall be, if— He ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State.*
- *We have no doubt in our mind that a person holding dual citizenship is disqualified from being elected or chosen as member of the Majlis-e-Shoora (Parliament).*

3. Use of inverted commas. Some examples are,

- *“An here is a man who being constitutionally and legally debarred from being its member, managed to sneak into it by making a false statement on oath and by using bogus, fake and forged documents polluting the piety of this pious body.”*
- *“As a Bench of 7 Hon’ble Judges vide judgment dated 26.04.2012 followed by the detailed reasons released on 08.05.2012 has found Syed Yousaf Raza Gillani guilty of contempt of Court under Article 204(2) of the Constitution of the Islamic Republic of Pakistan”*

4. Abbreviations: It is an important graphological feature that gives stress on some long terms by making them short for the economy of space. In the text at certain places abbreviations are used instead of whole phrases or names of different things or related material.

- *MNA: Member of National Assembly*
- *PPP: Pakistan Peoples Party*
- *When P.W.I was suggested that he was admittedly not holder of the B.A. degree from the University of the Punjab whereas in his written statement.*
- *The Additional Registrar of this Court was directed to lodge a criminal complaint against the DG, FIA, the Deputy Director who signed and furnished the incorrect information/documents and*
- *Immigration and other services, Civil Aviation Authority (CAA) and the Overseas Pakistanis Foundation (OPF), when they return to Pakistan after months or even years away from home.*

II. Lexical features

a. Archaism

Archaic expressions are in frequent use in legal documents. These are old or antique words, rarely used in common and everyday conversation, such as

- *Hereinafter:* *in the following or coming part of the document*
- *Aforesaid:* *discussed or mentioned before or previously*
- *Hereto:* *to this document or file*
- *Herein:* *in or within this document*
- *Subsequent:* *coming or following*
- *Pursuant:* *in according with*
- *Anterior to:* *before to*
- *Abutting to:* *next to*

Basically, these expressions were employed as abbreviations and sometimes to avoid ambiguity. These are often used to refer, exactly and precisely, a particular document or some part of document or to some party. But, there is a school that dismisses the use of archaic expressions and blames that archaic expressions are only meant for formality and uniqueness of style without any important semantic function. They argue that these old expressions are outdated and consequently obscure to understand for common users so these should be replaced by new and frequently used expressions e.g. aforesaid by previously mentioned, anterior to by before to, hereto by to this document etc.

There are plenty of archaic expressions in selected sample. For example

- *Constitution of Islamic Republic of Pakistan, 1973 [**hereinafter** referred to as 'the Constitution']*.
- *Every candidate has to file certain declaration on oath; one such declaration is reproduced **herein-below**:*
- *He traveled **thereafter** on Pakistani passport and subsequent thereto contested fresh election of Senate*
- *We would like to reproduce **here-in-below** relevant parts of relevant parts of Articles 62 & 63 (1) (c)*

b. Technical terms:

Technical terms are the specific, chosen or particular word or vocabulary items from a particular discipline or domain. Every discipline has plenty of its terms and so is the case with legal English. For example

- *Petition:* *a formal written request for judicial action*
- *Patent:* *an official document granting a right*

- *Suo Motu:* *action taken without external demand*
- *Testimony:* *a solemn statement made under oath*
- *Devisee:* *To whom property is devised by will*
- *Legislator:* *someone who makes or enacts laws*
- *Grantor:* *who makes a grant in legal form*
- *Impleading:* *take proceedings against*
- *Decree:* *judicial order*

Examples:

- *He can only be removed by filing an Election **Petition**.*
- ***Notices** were issued to the **respondents** as well as the learned Attorney General for Pakistan*
- *The intention of the **Legislator** is primarily to be gathered from the language used.*

Along with these technical terms lawyers use less formal words, phrases and even idioms, called jargon. They use these jargon expressions for easy communication but these are difficult to grasp for common person. Mellinkoff (1963) is a step ahead by saying that legal English contains argot. Argot words are just like slang words produced by lawyer themselves for their own convenient. Technical terminology adds in formality of legal English and imparts specific semantic preciseness.

c. Common words with uncommon meaning:

<i>Word</i>	<i>Common meanings</i>	<i>Legal meanings</i>
<i>Party</i>	<i>a social group</i>	<i>group involve in</i> <i>Legal processing</i>
<i>Assignment</i>	<i>duty assigned</i>	<i>Transformation of property from</i>

		<i>one party to other</i>
<i>Action</i>	<i>deed</i>	<i>lawsuit</i>
<i>Of course</i>	<i>yes</i>	<i>as the matter of fact or right</i>

In legal register, we also find many common words with uncommon meanings. These common and familiar words give unfamiliar meaning when employed in a legal context.

d. Formality:

There are many expressions in legal English having sole function of increasing its formality. For example “shall” has preference over “will”. Another thing concerning formality is capitalization of names, organizations even documents.

Examples:

- “A person **shall** be disqualified from being elected or chosen as, and from being, a member of *Majlis-e-Shoora (Parliament)*, if he ceases to be a citizen of Pakistan,
- He **shall**, unless he makes a declaration according to the laws of that other country renouncing his status.
- The Additional **Registrar** of this Court was directed to lodge a criminal complaint against the **DG, FIA**, and the **Deputy Director, President, Chief of Army Staff, Governors, Chief Justices and Judges** of the superior Courts, **Auditor General** from holding dual citizenship.
- The **Election Commission** of Pakistan also through its parawise comments stated that there is nothing on record
- The petitioner alleged that in terms of Article 63(1)(c) of the Constitution read with Section 14 of **Pakistan Citizenship Act, 1951**, any person holding dual citizenship is disqualified from being elected or chosen as, and from being, a **Member of Majlise- Shoora (Parliament)**.

e. Excessive use of “any”:

“Any” is in frequent use in legal register and it is considered as redundant. It makes the thing as inclusive as possible.

Examples:

- *In response to our order that **any** Member of the Parliament may appear on his own by filing a reply, only some of the Parliamentarians came*
- ***Any** person holding dual citizenship is disqualified from being elected or chosen as, and from being, a Member of Majlise Shoora (Parliament).*
- *Whether **any** of the Parliamentarians is holding citizenship of a foreign State*
- *I am not subject to **any** of the disqualification specified in Article 63 of the Constitution*
- *If for **any** reason for the sake of arguments it is accepted that he was not qualified to contest election*
- *Further contended that if **any** untrue statement is given at the time of submitting the nomination papers*
- *He is, in the case of the National Assembly, not less than twenty-five years of age and is enrolled as a voter in **any** electoral roll in—*
- *Subject to the provisions of this section if **any** person is a citizen of Pakistan under the provisions of this Act*
- *The Parliament of **any** country is one of its noblest, honourable and important institutions making not only the policies*

f. Enumeration:

It means listing two or more elements that are semantically same or are similar somehow. Its primary function is clarity and preciseness. E.g.

- *case and matter*
- *rules and regulation*
- *order and decree*
- *promote and advance*
- *protect and defend*
- *Primary and foremost*
- *noblest, honorable and important*
- *sovereignty, integrity, solidarity, well-being and prosperity*

Examples

*The essence of the language is to **reflect, express, and perhaps even affect** the conceptual matrix of established ideas*

- **Primary and foremost** task of a Court to interpret the statute is to ascertain intention of the legislators **actual or imputed**. Having ascertained the intention, the Court must then strive to interpret the statute as to **promote/advance the object and purpose** of the enactment
- Keeping in view these basic principles of interpretation of **Statue/Constitution**, we will now examine Articles 62.
- The Parliament of any country is one of its **noblest, honorable and important** institutions making not only the policies and the laws for the nation but in fact shaping and carving its very destiny.”
- It has been conceived in a manner so as to apply to **situations and conditions** which might arise in future. **The words and expressions** used in the Constitution, in that sense, have no fixed meaning
- “I hereby declare, on oath, that I **absolutely and entirely renounce and abjure all allegiance and fidelity** to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a **subject or citizen**; that I will **support and defend the Constitution and laws** of the United States of America against all **enemies, foreign and domestic**; that I will bear **true faith and allegiance** to the same;
- They will perform their functions **honestly** always in the interest of the **sovereignty, integrity, solidarity, well-being and prosperity** of Pakistan and will preserve, protect and defend the Constitution,

III. Syntactic features

Syntactic features are probably more distinctive of legal English than are lexical ones, and certainly account for more of the difficulties of lay persons in comprehending it. (Danet, 1985:281)

a. Nominalization:

Nominalization is a process of deriving nouns from verbs. In legal English nominalization occurs extravagantly. Lawyers and Judges prefer to use noun instead of verbs. It is condemn by many because it makes sentences long and disjoins the parts of sentences. On the other hand, some lawyers and expertise acknowledge its importance and argue that these nouns are having definite meanings in legal English so accordingly can't be replaced by verbs. Some of its examples are following,

- *Provision from provide*
- *To be in opposition instead of to oppose*
- *For the implementation in place of implement*

Material selected provides a full supply of nominalization. Some of extracts in this regard are:

- **Objections were taken** about the maintainability of the petition.

- *We have **taken into consideration** respective arguments advanced by the learned Counsel*
- *Subject to the **provisions** of this section if any person is a citizen of Pakistan under the provisions of this Act.*
- *We in view of the **acceptance** of the apology by the learned counsel/respondents.*
- *I am **in agreement** with his conclusions but am adding this concurring opinion giving my additional reasons.*
- ***To understand** the spirit behind Article 63(1)(c), the first point that needs to be considered is the fiduciary role envisaged for members of Parliament in our Constitution.*
- ***To appreciate** respective contentions raised by the Learned ASC*

b. Impersonality:

Impersonality or objectivity is an object of high concern in Legal English. Many strategies and tools assess in achieving objectivity in legal documents. Firstly, there is no use of 1st and 2nd pronoun; only 3rd person is employed in all types of legal documents. Secondly, persons are not addressed by their personal names, but by their position in legal process such as Grantor, agent etc. Thirdly, there found, in legal documents, a continuous use of passive voice sentences. This objectivity performs two primary functions. On first place, in is strategy to obscure the actor, mostly through the use of passive voice sentences. On the other hand, it projects the impression that Law is impartial and objective in its dealings.

Examples:

- ***The petitioner** alleged that in terms of Article 63(1)(c) of the Constitution*
- ***Notices were issued** to the respondents as well as the learned Attorney General for Pakistan.*
- ***“A person shall be disqualified** from being elected or chosen.*
- *Malik Waheed Anjum learned ASC **submitted an application** to DG, FIA for the provision of travel history*
- *On behalf of the respondent No.5 Punjab Government, **objections were taken** about the maintainability of the petition.*
- ***It is contended** by him that his client was a born citizen of USA*
- ***It is contended** that word “or” should be read as “and”*

c. Long and complex sentences:

One of the most striking features of legal English is use of long and complex sentences. One sentence may spread to a whole paragraph and contains many independent and dependant clauses. In past, there used to be only one sentence for each part of a document with lesser use of sentence and phrase markers. Movement of simplicity of legal language demanded short and simple sentences but lawyers defend it by arguing that for clarity and accuracy, long sentences are fruitful.

Examples

- *We have also noted that Members of the National Assembly have taken oath under Article 65 of the Constitution, whereby they have undertaken that they will perform their functions honestly always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of Pakistan and will preserve, protect and defend the Constitution, whereas on the other hand, at the time of acquiring citizenship of United States of America they have taken oath that they will bear true faith and allegiance to the US Constitution and will bear arms on behalf of the United States when required by the law, etc.*
- *The above declaration is applicable to the candidates of membership of Parliament and Provincial Assemblies, therefore, whoever signs such a declaration is meant to be fully aware of the constitutional provisions and after signing the said declaration if the same turns out to be false, he makes himself liable to be disqualified from being elected or chosen as Member of the Majlis-e-Shoora (Parliament) or a Provincial Assembly for making misstatement or concealment of fact, and also exposes himself to criminal proceedings contemplated under sections 193, 196, 197, 198 and 199 PPC.*
- *He further contended that Mr. A. Rehman Malik has resigned from the membership of the Senate on 9th July 2012, and subsequent thereto contested fresh election of Senate as his request for renunciation of citizenship of U.K. has been conveyed to him by the UK Border Agency on 29.05.2012 and if for any reason for the sake of arguments it is accepted that he was not qualified to contest election as Senator in the year 2008, he was qualified to be elected after the acceptance of his request for renunciation of his citizenship of UK in the year 2012 as Member of Parliament and as such he was rightly elected as a Senator.*

d. Negatives:

Negatives are abundantly used in legal documents. Multiple negatives are not only expressed by “not” but other expressions are also employed to get the very result such as unless, except, not only, never etc.

Examples:

- *I am **not** subject to any of the disqualification specified in Article 63.*
- *The candidate has **not** possess the citizenship of any foreign State*
- *There is **no** bar for a dual citizen to contest the election as a Parliamentarian. It is stated by her learned counsel, that she will **not** contest the election*

- A person shall **not** be qualified to be elected or chosen as a member of *Majlis-e-Shoora (Parliament)* unless:-
- That literal construction **not** to be denied only because the same may lead to penalty.
- But you do **not** do it unless you are obliged because 'or' **does not** generally mean 'and' and 'and' **does not** generally mean 'or'.
- **No** CMA has been filed denying the allegation that he **is not** holder of citizenship of any foreign State
- Pakistan also did **not** allow for holding dual citizenship. It is for this reason the Constitutions of 1956 and 1962 **did not** contain any express disqualification for dual citizens becoming parliamentarians because there were **no** dual citizens permitted under law.

e. Conditional sentences:

Legal documents display handful use of conditional sentences. Examples from given material are:

- *If it is so whether disqualification has been got removed or whatever the position may be, and that if they desire, they can also appear at their own.*
- *“A person shall be disqualified from being elected or chosen as, and from being, a member of *Majlis-e-Shoora*, if he ceases to be a citizen of Pakistan.*
- *If any untrue statement is given at the time of submitting the nomination papers, is nothing more than a mistake on the part of the candidate.*
- *If any person is a citizen of Pakistan and is at the same time a citizen of any other country, cease to be a citizen of Pakistan.”*
- *Member of the *Majlis-e-Shoora* shall be disqualified if any one of the disqualifications mentioned in the said Article applicable upon him*

f. Prepositional phrases

This is another recurrent feature in Legal English. Documents are full of preposition phrases that come one after another frequently.

Danet (1985:282) said,

“Prepositional phrases are often misplaced”.

Examples

- *Through this petition, filed under Article 184(3) of the Constitution of Islamic Republic of Pakistan, 1973], the petitioner alleged that in terms of Article 63(1)(c) of the Constitution read with Section 14 of Pakistan Citizenship Act, 1951, any*

*person holding dual citizenship is disqualified **from being elected** or chosen as, and from being, a Member of Majlise-Shoora (Parliament).*

- ***Although the question** of maintainability of the petition under the Article 184(3) of the Constitution has not seriously been argued **by the learned counsel for the respondents**, the issue **in the petition** about the disqualification of a person to be a Member of Parliament, the State has to exercise its powers and authority **through the chosen representatives**.*

g. Unique determiners

“Such” and “said” are unique and specific determiner of nouns in legal documents that gives meanings of “this”, “that”, “the particular” or “one that is under consideration”.

Examples

- *He had acquired citizenship of the **said** country.*
- *If one of the disqualifications mentioned in the **said** Article applicable upon him.*
- *The **said** Tariq Mehmood holder of American Passport No. 211267712 again entered in Pakistan on 19.07.2008*

h. Passive sentences

Passive sentences are preferred to active in Legal English. At some points, it is impossible to use active sentences but most of the time it is strived to employ passives for intense formality.

Examples

- *The declaration, that the candidate has not possess the citizenship of any foreign State or County, **has been taken** by election commission*
- *His request for renunciation of citizenship of U.K. **has been conveyed** to him by the UK Border Agency on 29.05.2012*
- *The Constitution **was framed** by its makers keeping in view the situations.*

I. Pre and post modification:

Modifiers are words, phrases, or clauses that modify a noun. Modifiers add or further explain the noun. If modifier comes prior to the noun it is called pre modifier and if comes after the noun it is called post modifier.

Examples:

- *Through this petition, filed under Article 184(3) of the constitution of Islamic Republic of Pakistan, 1973*
- *In response to our order that any Member of the Parliament may appear on his own by filing a reply, only some of the Parliamentarians came forward by appearing in person or through counsel.*
- *Malik Waheed Anjum, learned ASC, has filed CMANo.2382 of 2012 for impleading the following fourteen Parliamentarians who according to him are holders of dual nationality*
- *Mr. Wasim Sajjad, learned Sr. ASC for Ms. Farah Naz Isfahani, MNA argued that the Constitution must be interpreted as a living document to meet the requirements of all times to come*

CONCLUSION

In present analysis we tried our best to discuss minutely the distinctive features of legal language. Furthermore, all features are explained by applying examples from selected legal document. Analysis shows that legal language is distinct and peculiar variation of language. It has its specific graphological, lexical, syntactical and phonological features. . Such analysis helps the ESP practitioners to select specific contents for courses related to language of law. Stylistic analysis also creates gap for creativity which is a part of language learning. It also increases language learning capability in the learners. If we outlined the analysis of legal document in class room settings it give much information about the language of legal English and help in understanding of terms specific to legal English.

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