A COMPARATIVE ANALYSIS OF LEGAL AND RELIGIOUS LANGUAGES

VERO-EKPRIS GLADSTONE URUJZIAN (PhD)
Verogladstone1974@gmail.com
(+2348025809068)
Department Of English, Obio Akpa Campus
Akwa Ibom State University, Nigeria

ABSTRACT

There are a lot of ways an individual uses language. Language is seen as a function of the situation. What we mean here is that the situation determines the kind of language used. Linguists have various ways of assessing language one of which is stylistic. Stylistics generally studies the peculiar ways in which language is applied in various situations and disciplines. In this paper we attempt a comparative study of the peculiarities of legal language and religious language. Various issues were looked at the levels of lexis, grammar, punctuations and semantics. It is concluded that there are seemingly different choices of words in both the language of religion and the language of law.

Keywords: Comparative Analysis, Language, Law, Religion, Stylistics.

Introduction
The world has been divided over the years by a "Babel of Voices" (Urujzian, 2018, p.370). English language is one of the numerous voices. The English language serves a lot of useful purposes in Nigeria. Enang, (2009) and Okono (2019) observed that in Nigeria, English language has grown so fast to the extent of acquiring important status as the official language, national language, the language of international diplomacy, education, sports, mass media, commerce, administration and the judiciary. In view of such an all-important role that English language plays in our daily communication, speakers of and writers in English as a second language particularly university students, in the words of Enang, E. and Urujzian,V.(2013b) and Okono (2020), need (the knowledge of) stylistic devices in addition to functional grammar in order to produce the beauty of language in their writings and in speech (Ekpo, Enang, & Effiong, 2023)..

Many English speakers control several diatypic varieties; that is, they are able to function appropriately in different situations and emphasis is placed on both oral and written mediums as a way of encouraging learners to internalize the rules in order to be competent in general communication in different fields (Urujzian, 2012, p. 182). The term 'register which means roughly the same thing as diatypic variety is used to refer to each adaptation of language distinguished according to use. Each use of the language has its register, that is, its linguistic and non-linguistic characteristic. Registers constitute the linguistic reflections of user's use of language in situations. They cover the total range of activities in a linguistic community and so when we examine the register of language we are in effect accounting for what people do with their language(Ekpo, Enang, & Effiong, 2023)..

This is to say that humans can use language to create what they think and feel (Etuk & Urujzian, 2018, p. 87). Language is considered as an abstraction deriving from a number of

features that are characteristic of it and make it unique from any other language (Enang, E. and Urujzian, V. 2013a, p.115). Register includes those of chemistry, law, commentary, advertising, linguistics, politics and so on. Each of these is an activity of which language is a party. For each there is a fixed set of lexical items and grammatical patterns. That is why the government may see members of militia as rebels while the militia would see themselves as freedom fighters (Etuk and Urujzian, 2018, P. 87) and (Enang, E. 2009) .

The Legal Language
A legal text is a piece of companion or a proceeding that is concerned with law. The law includes many different activities, from the drawing up of statute to the contracting of agreement between individuals, all of which need to be recorded in written form. In spite of their diversity, it is perhaps not too far from the truth to say that each of these activities is connected with the imposition of obligations and conferring of rights (Enang, E. and Urujzian,V.2013b). A field of discourse such as law has its respective sets of linguistics features (i.e. register) to which the language user must have recourse if he wishes to operate in this field. Its tenor is imperial and formal. The language is written for experts' use i.e. it is written to allow one expert to register information for security by another (Ekpo, Enang, & Effiong, 2023)..

The language of law is written to be read but it is largely unspeakable. Other peculiarities of this language are: the regular use of passive voice, lengthy pre-and post-modifications of nominal for the purpose of definition and precision, archaic adverb, preposition, colligation, stereotyped phrase, complex grammar, rarity of punctuation, etc. which render the text turgid and prolix. The language is removed from language of daily conversation and it is strictly written mode. The language of law is supposed to be characterized by unambiguous usages, thus there is the use unbroken formulae format to which we must conform. It is unspeakable because it is grammatically distinct (Enang, E. 2009).. The language of law is highly nominal with long complicated hypotactic structure. The range of vocabulary that may be met in legal language is extremely wide, since almost anything may become the subject of legislation or legal tabulation in some way or other.

Legal language is highly conservative because of the enactment of form which was established in the past and the reluctance to take risk by adopting new and untested modes of expression. The fact that some legal documents have been drafted without paragraph division and sometimes with long, thinly punctuated sentences, and sometimes with Gothic characters, constant capitalization of words and phrase etc., are indications of its **graphological distinctiveness** (Enang, E. and Urujzian,V. 2013b).

At the level of lexis, the use of archaic words is prominent in legal language. Moreover, preposition like words are frequently suffixed this together with archaisms adds a touch of formality to legal language. There is a constant repetition of lexical items, and there is the use of Latin words and Latin expressions. There is plenty of exaggeration. The collocation geography is limitless but the most characteristic collocations are those in which synonyms or near synonyms are coordinated and this result in a large number of couplings of lexes

At the level of grammar, as stated earlier, sentences are hypotactic in nature with occasional introduction of adverbials house and use of anaphoric devices, demonstratives and scarcity

of the pronoun reference and anaphora. Only complete sentences are in the form of statements and occasional commands. Adverbials often cluster at the beginning of the sentence and these adverbials are highly mobile; thus enabling the draftman to avoid ambiguity and clarify meaning. This position of adverbial is unusual but peculiar to the language of law (Enang, E. (2009).

Coordination is another peculiar feature of the legal language because those adverbial elements and verbal groups are few. But one of the most striking characteristic of the written legal English is that it is so highly nominal (Ekpo, Enang, & Effiong, 2023).. There is a very high preference for post-modification in the nominal groups and the kind of complexities that develop is clearly seen. There is also fondness of using non-finite clauses as post-modifiers of nominal element. There is use of high proportion of abstract nouns, non-finite verbs that are modal auxiliaries etc. The excerpt in appendix a below exhibits these reasonably recurrent characteristics of the legal language. It is the law of Akwa Ibom State (criminal code law cap. 38 vol. 2,2000) section 533.

The law of Akwa Ibom State (Criminal Law Cap vol. 2 section 533), 2000 Psalms 23, 85, 136.
> …Public *purpose is hereinafter in so far as such purpose relates to any matter which with respect to which the Government of the Religion has power to make laws…If the owner of any animal, the court upon his conviction thereof, any if it thinks fit, addition to any other punishment, deprive such person of the ownership of the animal, and may make such order as to the disposal of the animal as it may think fit.*

> *Whoever gives or offers and whoever accepts or obtain, and whoever agrees to accept or obtain, for himself or for any other person, any advantage, bribe or reward, whether in money or otherwise, for inducing by any corrupt or illegal means or by corrupt personal influence, any member or officer or servant of any customary court to so or forbear to do any act which the said member, officer or servant, as the case may be of a customary court is authorized to do in the exercise of the jurisdiction, authority or function of such member, officer or servant or to show favour or disfavour to any person guilty of a felony and liable on conviction before the High Court or a magistrate's court, as the case may be, to imprisonment for seven years.*

In the examples above, characteristic features of the language of law that renders it unspeakable include passive verbal groups (…is authorized, is defined) colligation (…whatsoever, in so far as, hereinafter, whether) and stereotype phase (within the meaning…upon his conviction). All these and the syntactic structure suffice almost by themselves to identify the register of law.

Analysis of Legal Text
Three linguistic categories: graphology, syntax and lexico-semantics are examined across the texts.

On graphology, the stylistic significance of space management and presentation of graphic substance such as lineation, capitalization, punctuation, print type and size sand characters are examined. In the excerpt above there is no paragraph division and it is thinly punctuated.

At the level of lexis, what is dominant in these excerpts is the use of archaic words and preposition words are suffixed. Examples are: insofaras, hereinafter. There is the prominent repetition of some lexemes e.g. whoever is repeated five times and such, it persons, whether are equally repeated. Near synonyms are characteristically collected with the use a co-ordination's e.g. accept or obtain, advantage/bribe or reward, corrupt/illegal means, to do or to forbear to do, jurisdiction or authority or function.

At the level of grammar, the sentence below exemplifies the fact that legal language has hypotactic structures with occasional introduction of adverbials which cluster at the beginning of the sentence (Enang, E. 2020).

If the owner of any animal is guilty of cruelty within the meaning of this chapter to any animal, the court upon his conviction therof, may if it thinks fit in addition to any other punishment, deprive such of the ownership of the animal …

The excerpt like every other legal document is highly nominal e.g. of nominal group are: animal, owner, chapter, punishment, person, bribe, servant, customary court, officer, magistrate, imprisonment, member ete. Verbal groups are few but these few verbal groups are passive e.g. (is authorized, is defined (Enang, E and Udoka, S. 2018). Colligations are prominent) whatsoever, insofaras, hereinafter etc. All these terms and the syntactic structure suffice almost by themselves to identify the register of law (Enang, E. 2009).

The Language of Religion
Who remembered us in our low estate: for this mercy endureth forever.
And hath redeemed us from our enemies: for his mercy endureth forever.
Who giveth food to all flesh: for his mercy endureth forever.   (Psalm 136: 22-25)
Three linguistic categories: graphology, syntax and lexico – semantics are also examined across the psalm 24, 85 and 136 below:

Other grammatical points are:
The inverted order of element of clause structure predicate/subject instead of subject/predicate e.g. <u>lift up your head</u>   <u>O ye gates</u>
                                                 P   S   (Psalm 24 v. 7)
The sentence structure also shows the coordinating tendency where many verses are essentially loosely coordinated complexes of simple sentences. At the level of lexico-semantics the vocabulary provides a third area of distinctiveness (Enang, E. 2020).. This is a result of the wide range of archaism and the use of technical religious terms. Words enter into special collocation to enhance meaning (Enang. E, and Urujzian, V. 2013a:115). There is also a clear linguistics center to which all lexical items can ultimately be referred and this concept is the concept of 'God'. This clear focal point distinguishes religious language from other varieties. Certain high frequency collocations are used to enhance absurdities and uncivilized implications. Some religious texts are characterized by restricted set of formulaic conclusion or response and many have a fixed framework. Adjectives are frequently used (Enang. E, and Urujzian, V. 2013a:115)..

The excerpts in Appendix B (1, 2, 3) are used to highlight the peculiarities of religious language. These excerpts are: David's lamentation over Saul and Jonathan's death (11 Samuel 1:19-27 and Psalms 23,85 and 136).

Analysis of David's Lamentation

A look at the excerpt reveals that David's lamentation is a kind of monologue. Monologue is the speaking by one individual in such a way as to exclude the possibility of interruption by others (Enang, E. 2020).. The language is removed from the language of daily conversation and is therefore not colloquial but strictly liturgical in nature. David's lamentation clearly brings a memory of Saul and Jonathan into people's minds in a pleasant way because of the highly evocative nature of the language e.g.

> *"Saul and Jonathan were lovely and pleasant in their lives, and in death they were not divided: they were swifter than eagles; they were stronger than lions…."*

At the level of graphology, the excerpt is divided into verses to ease readability and slow the rate of progression. Punctuation marks are used idiosyncratically (Enang, E and Udoka, S. 2018). The particular use of colons and commas and interjection marks at strategic places are mode markers that this text was written with its speakability in mind. The use of capital letters within the sentences and in the initial letters of each verse, capitalization of proper nouns and pronouns, e.g. Israel, Gath, Jonathan, Saul, As-ke-lon and 'O' are conventionally written in capital letters. Interjection mark is used twice while commas and colons are used eight and three times respectively, and this is an indication of dense punctuation. Numerous periods also appear at the end of every verse (Enang, E. 2009).

The dominant lexical items are archaic words like 'thy' thee, lest, thou, ye, hast etc. And some technical religious terms like: offering, shield, anointed, blood, scarlet etc. These words enter into unique collocation to mark this diatype. Examples are: field/offering, anointed/oil, ornament/gold, cast/away, stronger/lion, swifter/eagles etc. All these come together to make the language of religion distinctive. (Enang, E. 2009)

The main area of grammatical distinctiveness in David's lamentation is the verbal group where the old third person singular (wast, hast) is common. Closely connected with verbal group is the use of archaic pronominal forms: (te, thou, thee, thy, etc.). Then the structures are highly complex for instance, the whole verse twenty (20) and the whole of verse twenty-one (21) is one complex sentence:

> *"Ye mountains of Gil-bo-a; Let there be no dew, neither let there be rain, upon you, nor fields of offerings; for here the shield of the mighty is Vilely cast away, the shield of Saul, as though he had not been Anointed with oil".*

Some of these sentences cluster to display parallelism of structure and rhythm. Examples are in the following lines:

> *"Tell it not in Gath, publish it not in the streets of As-ke-lon: lest the daughter of the Philistines rejoice, lest the daughter of the uncircumcised triumph".*

Imperative structures are frequently used while questions are absent except the rhetorical type e.g. How are the mighty fallen. Example of imperative structures are: Tell it not in Gath
Publish it not in the streets of As-ke-lon
Let there be no dew
Ye daughter of Israel, weep over Saul etc.

There are deviations from Cosmopolitan order of element of clause
structure inDavid's lamentation and prominent use of negative construction. Example are:
Tell it not (verse 20)
Publish it not.....(verse 20)

Very pleasant/hast		thou/been untome	
A	Aux	S	P

These sentence structures show the coordinating tendency where many simple sentences are loosely coordinated with 'and' the dominant coordinator. All these features are readily associated with a religious province (Enang, E and Udoka, S. 2018)

On the whole David's lamentation like most other religious texts has a fixed framework. It begins with how are the mighty fallen! And ends with how are the mighty fallen! (Enang. E, and Urujzian, V. 2013a:115).

The Language of Religion in Psalm 23, 85 and 136
Psalm 23, Psalm 85 and Psalm 136 are well crafted to fit into the religious province. The main graphological devices to look out for in the three psalms are: capitalization of initial letter, capitalization of proper nouns, personal titles of God and pronouns referring to God as well as he dense punctuation indicating the strong concern for speakability (Enang. E, and Urujzian, V. 2013a:115)..

The following archaic lexemes marked off the diatype in these Psalms: thou, hast thine, wit maketh, leadeth, restoreth, prepareth, anointest, endureth etc. Also there is a clear linguistic centre to which all lexical items can ultimately be referred i.e. 'The lord' or 'God'. Psalm 136 is characterized by restricted set of formulaic conclusion: "for his mercy endureth for ever" which is repeated in all the twenty- six verses of this chapter of the psalm (Enang, E. 2020).

The repetition of similar structures in psalm 136 enhances readability and rhythm, examples are:

> *O give thanks unto the God of gods*
> *For his mercy endureth for ever.*

> *O give thanks to the Lord*
> *of lords: for his mercy*
> *endureth for ever.*

Other grammatical facts are the dominant use of the initial coordinator (and) in verses 11, 14, 18, 20, 21, 24, of Psalm 136. Psalm 85 and Psalm 136 have some imperative structures examples:

> *Turn us, O God of our salvation, and*
> *Cause thine anger towards us to cease.*
> *O Give thanks unto God. Etc.*

Indeed, the language of religion like that of law is distinguished at all levels of linguistics analysis (Enang, E. 2020), (Ekpo, Enang, & Effiong, 2023).

Conclusion and Recommendations

Having examined these two diatypes, it is fair to conclude that there are points of contrast and points of similarities. Like the language of law, the use of latinic expressions, archaism, and constant use of complex structures are peculiar to the language of religion. Capital letters are also used within sentences in the language of law and language of religion.

The two languages are removed from the daily conversation thus colloquialism is abolished. Both languages are highly formal. The use of distinctive pronominal paradigms (whoever) is also common to these languages i.e. religion and law. There are constant repetitions of phrases and formulaic structures in both diatypes.

On the contrary, religious language is densely punctuated to enhance readability and speakability while legal language is thinly punctuated. Also, there is no room for absurdities in legal circle while there is frequent use of absurdities in religious language. The language of religion is highly evocative and liturgical in nature because there is a strong concern for speakability, appropriateness and intelligibility (Ekpo, Enang, & Effiong, 2023). One needs a balance between intelligibility, pronounce-ability, relative dignity and formality; a balance between the ordinary and the obscure... (Crystal and Davy 1996: 150).

References

Crystal D. & Davy, D. (1969). *Investigating English Style.* Longman Group.

Enang, E. (2009) Aspects of the Syntax of Educated Nigerian English. An Unpublished M. A. Dissertation of Faculty of Arts, University of Uyo, Uyo, Nigerira. Pp 143.

Enang, E and Urujzian, V. (2013a) "Nativization of the English Language and the Emergence of the Standard Nigerian English Variety. In *African Education Indices* Vol. 6. No.1 July, 2013. Pp. 115-126.

Enang, E. and Urujzian,V.(2013b) "Anaang Learner of English and Syntax-Related Problems: A Contrastive Study". *The Intuition* Vol. 5 No. 1 Nov.2013 Pp.215-235.

Enang, E and Udoka, S. (2018) "A Re-Coloured Variety of the Standard British English in Nigeria: A New English in a New Environment". *In Aksu Journal of Arts (AKSUJA).* Maiden Edition. Dec. 2018. Pp.115-125.

Enang, E. (2020) Ancient Ghost in Modern Mask: New Matters Arising from Okot p'Btek's

Two Songs on a Socio-linguistic Exploration of Neo-colonial Africa. In International Journal of Academia. Vol. 6.(1) Pp. 284-312.

Ekpo, N. Enang, E. And Effiong, U. (2023) "Sociological and Anthropological Culture of Anaang Language of Ikot Ekpene Variety in Akwa Ibom State: From the Viewpoint of Lexico- Structural Ambiguity". In Journal of Sociology and Anthropology in Practice. Vol 12, (3), Pp. 1-18

Etuk, J. and Uruzian V. (2018) Language and ideology in number plate slogans of the 36 states of Nigeria and Abuja: A new Horizon. In *The Intuition*, June vol. 8 No 1 PP 86-96.

Okono, U. M. (2019). The English language of electronic media in Nigeria: Need for international intelligibility. *King Uk-International Journal of Academic Anthology*. Vol 6. No. 1 P.59-76.

Okono, U. M. (2020) Qualities of a good essay: An assessment of the writings of Nigerian undergraduates. *International Journal on integrated education*. Vol. 3. Issue 6. PP 82-88

Urujzian, V.E (2018) Internationalization of the English language in Nigeria. in the intuition, June vol. 8 No 1 PP 369 – 375.

Urujzian, V.E (2012) "Issues in English Language Teaching and Learning: Problemand Prospects". *In Academic Scholarship Journal* vol. 6 No 1 July 2012

The law of Akwa Ibom State (Criminal Law Cap vol. 2 section 533). 2000 Psalms 23, 88, 136.

Appendix A

…Public purpose is hereinafter in so far as such purpose relates to any matter which with respect to which the Government of the Religion has power to make laws…

If the owner of any animal, the court upon his conviction thereof, any if it thinks fit, addition to any other punishment, deprive such person of the ownership of the animal, and may make such order as to the disposal of the animal as it may think fit.

Whoever gives of offers and whoever accepts or obtain, and whoever agrees to accept or obtain, for himself or for any other person, any advantage, bribe or reward, whether in money or otherwise, for inducing by any corrupt or illegal means or by corrupt personal influence, any member or officer or servant of any customary court to so or forbear to do any act which the said member, officer or servant, as the case may be of a customary court is authorized to do in the exercise of the jurisdiction, authority or function of such member, officer or servant or to show favour or disfavour to any person guilty of a felony and liable on conviction before the High Court or a magistrate's court, as the case may be, to imprisonment for seven years.

Psalms 23

The lord is my Shepherd I shall not want

He maketh me to lie down in a green pastures; He
leadeth me beside the still waters

He restoreth my soul: he leadeth me in the path of righteousness for his name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil; for thou art with me; thy rod and they staff they comfort me.

Thou preparest a table before me in the presence of mine enemies; thou anoitest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord forever.

Psalm 85

Lord, thou hast been favourable unto thy land: thou hast brought back the captivity of Jacob.

Thou hast forgiven the iniquity of thy people; thou hast covered all their sins. Selah.

Thou hast taken away all thy wrath: thou hast turned thyself from the fierceness of thine anger

Turn us, O God of Salvation, and cause your anger towards us to cease

Wilt thou be angry with us forever? Wilt thou draw out thine anger to all generation?

Wilt thou not revive us again; that thy people may rejoice in thee?

Show us thy mercy, O Lord, and grant us thy Salvation.

Psalm 136

O give thanks unto the Lord; for he is good: for his mercy endureth forever.

O give thanks unto the God of gods: for his mercy endureth forever

O give thanks unto the Lord of lords: for his mercy endureth forever

O him who alone doeth great wonders: for his mercy endureth forever

To him that by wisdom made the heavens: for his mercy endureth forever

To him that stretched out the earth above the waters: for his mercy endureth forever

To him that made great lights: for his mercy endureth forever

The sun to who by day: for his mercy endureth forever

The moon and stars to rule by night: for his mercy endureth forever

To him that smote Egypt in their first born: for his mercy endureth forever

And brought Israel from among them: for his mercy endureth forever

With a strong hand, and with the stretched out arm: for his mercy endureth forever

To him which divided the red sea into parts: for his mercy endureth forever

And made Israel to pass through the midst of it: for his mercy endureth forever

But overthrew Pharaoh and his host in the red sea: for his mercy endureth forever

To him who led his people though the wilderness: for his mercy endureth forever

To him which smote great kings: for his mercy endureth forever

And slew famous Kings: for his mercy endureth forever

Si-hon King of the Am-o-rites: for his mercy endureth forever

And of the King Ba-sham: for his mercy endureth forever

And gave their land for heritage: for his mercy endureth forever

Even an heritage unto Israel his servant: for his mercy endureth forever