

**A REGISTER ANALYSIS OF THE LEGAL EXPRESSIONS AMONG
ASABA LAWYERS**

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**DEPARTMENT OF LINGUISTICS STUDIES,
FACULTY OF ARTS,
UNIVERSITY OF BENIN,
BENIN CITY.**

DECEMBER, 2022.

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**A PROJECT SUBMITTED TO THE DEPARTMENT OF LINGUISTICS
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LINGUISTICS STUDIES**

DECEMBER, 2022.

CERTIFICATION

I, **BLESSING NKOYEUM CHUKWUMAH** the Matriculation Number **ART1701250** declare that I have completed the requirements for coursework and research for the Bachelor of Arts Degree of the University of Benin. The course work embodied in this project is original and has not been submitted in part or whole for any degree or diploma of this or any other university or institution.

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DEDICATION

This work is dedicated to God Almighty for His Faithfulness, love and kindness, for standing by me and giving me the grace to go through this journey, my late father L/R Patrick .O. Chukwumah (General) and my mother for her endless love and support all through the years.

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TABLE OF CONTENTS

Cover Page	i
Title Page	ii
Certification	iii
Plagiarism Certification Page	iv
Dedication	v
Acknowledgements	vi
Table of Contents	vii
Abstract	xi

CHAPTER ONE: GENERAL INTRODUCTION

1.1 Background of Study	1
1.2 Aim and Objective of Study	3
1.2 Methodology	4
1.4 Statement of Problem	4
1.5 Significance of the study	5

CHAPTER TWO: REVIEW OF LITERATURE

2.1 Introduction	6
2.2 Conceptual Review	6
2.2.1 Sociolinguistics	6
2.2.2 Register	7
2.2.3 Features of the Register	13
2.2.4 Register of Legal Profession	14
2.2.5 Law and Its Relatedness to Language	16
2.2.6 Features of the Language of a Lawyer	17
2.2.7 General Description of Language in my own words	19
2.2.8 Importance of Language In Law	19
2.3 Review of Previous Studies	20
2.4 Concern for Present Studies	21

CHAPTER THREE: DATA PRESENTATION

3.1 Introduction	22
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3.2 Basic Linguistic Descriptive Theory	22
3.3 Relevance to the Basic Linguistic Theory to Present Study	29
CHAPTER FOUR: DATA ANALYSIS	
4.1 Introduction	31
4.2 Discussion of Word List	41
CHAPTER FIVE: SUMMARY OF FINDINGS AND CONCLUSION	
5.1 Introduction	45
5.2 Summary	45
5.3 Findings	46
5.4 Conclusion	47
REFERENCES	48
APPENDIX	50

ABSTRACT

This study examines the register analysis of legal profession among Asaba lawyers. The term register here describes here describes the language of groups of people with common interests or jobs or the language used in situational with such groups (Holmes, 2012:246).

It critically examines constructions of words, phrases and dialogues used in the courtroom setting and consultation on legal advice at chambers. The theoretical framework adopted for this work is basic linguistics descriptive theory to describe and analyze data.

This research is to identify the registers and utterances that are evident among the legal profession and expressions to also examine their communicative functions. This research made use of qualitative methodology designed to carefully obtain information concerning the current status of phenomena.

The primary source of the data for this work was collected via series of interaction with learned counsels both young and old taking a further analysis and researchers personal observation were key essentials in the data collection.

The findings in this study reveal that legal expressions language is an integral part to communicate effectively and responsibly.

CHAPTER ONE

GENERAL INTRODUCTION

1.1 BACKGROUND OF STUDY

Language as a purely human and non-instinctive method of communicating, ideas, emotions and desired means of voluntarily produced symbols Edward Sapir (1921:8). Language constitutes an integral part of society and individual identity, people's professions, most times has its effect on its status on a given community. This work investigates a huge integral part of sociolinguistics on register analysis of Legal expression among Nigerian Lawyers using descriptive linguistics.

Discourse analysis studies the relationship between language and society and between the users of language and the social structures in which the users of the language live.

A lawyer is a professional person qualified and authorized to practice law i.e. to conduct lawsuit or give legal advice. According to Oxford Dictionary "A lawyer is a person who is trained and qualified to advice people about the law and to represent them in a court of law, and to write legal documents". Language has to do with the communication between persons, every individuals, groups, societies, and a nation at large has the language that is common among them, binding them together. Apart from native languages that differentiate us as a result of our culture.

This language differentiates individuals as a result of their status, professions, posts, and classes in a society. Bussman (1996) identifies sociolinguistics as that discipline which developed from the co-operation of linguistics and sociology and it aims at investigating the social meaning of language system and of the common set of conditions of language use and linguistic and social structures. Discourse is language in use (Brown and Yule, 1983:1) it covers both spoken and the written forms of language. Discourse is literally defined as “a serious speech or piece or piece or writing on a particular subject” (Longman dictionary of Contemporary English, 2001,p.388). it is a confined to speech being designated as ‘a serious conversation between people’.

The language of a lawyer in a similar way is different from others, this is because of its characteristics, component and its description in general, those of which are the groups of persons who speaks the language, the types of words common to them{English and Latin} and the composition and combination of words and the way it’s been used .

Register often refers to the degree of formality of language, but in a more general sense it means the language used by a group who share similar work or interests, such as lawyers, doctors. In linguistics, the register is defined as the way a speaker uses language differently in different circumstances.

There is power symmetry in discourse court room profession such as judges, magistrate, lawyers and witnesses. This paper attempts to provide an explanatory account of linguistics communication between legal professionals such as lawyers, prosecutors and the witnesses with a view to show the power relevant to court room discourse. To this end, various forms of questions such as, WH – Questions, Alternative questions, YES/NO Questions and Declarative Questions are analyzed to account for the discursive practices between the lawyers/prosecutors and witnesses. This chapter contains the background study of language of the lawyers (Legalese), the methodology employed in the course of the research, the statement of problems, and purpose of the research and the significance of the study.

1.2 AIM AND OBJECTIVES

The study seeks to investigate the lawyers' expression in Asaba in relation to discourse analysis and its effect it has on the language generally with a view to;

The objectives of this work are to;

1. To provide a proper comprehension of the functions, breadth and diversities of legal expression in the courtroom, interaction between lawyers and lawyers also interaction between lawyers and a layman.
2. To enhance a wider knowledge and appreciation of the various methods, processes, strategies or techniques which the law evolved to achieve

3. It affords us the various opportunities of registers that is used in the legal profession.

1.3 METHODOLOGY

This study relied on data derived from qualitative method that were required to answer questions which required to answer questions which explore concepts and experiences in more detail. The research is the domain of qualitative research. The type of this research is “Descriptive Qualitative Research”. Moreover, Moleng affirms that qualitative research of which the data in the form of written or oral word are descriptively analyzed. This research focused on collecting and analyzing data which is no numerical, several methods such as conducting informal interviews by visiting different court sessions at (Court Of Appeal , Asaba Judicial Division Asaba) and respective chamber of lawyers (S.Kelechi & intercessors chambers) at Asaba.

1.4 STATEMENT OF THE PROBLEM

Despite the legal profession, adequate attention has not been paid to the linguistics aspect of the legal register, the challenge of the use of terminologies, the ambiguity of its object, subject, tasks, methods, boundaries etc. Hence, due to already existing conceptual apparatus is imperfect and requires more clarification including the key characteristics of the legal register.

1.5 SIGNIFICANCE OF THE STUDY

This work should be of interest to a diverse array of researchers focusing on a register analysis of legal profession. Also this work captures the unique nature of the world and its own way of lawyers and how they construct words, phrases and sentences for communicating ideas in the legal profession. In other words, the usefulness of this work cannot be over emphasized as it guides the researchers towards learning the registers of the legal profession used in discourse practice is used in the courtroom.

CHAPTER TWO

LITERATURE REVIEW

2.1 INTRODUCTION

In this chapter, reviews of relevant literature of this work are obtained from textbooks, journals, internets that are relevant to under study. It gives a general overview of the register, as sub-topic in Discourse Analysis. It will examine the works of different scholars on register and law that has been reviewed and establish the basis on which on which this study will have a wide range of focuses on, purposes and employed a variety of research approaches.

2.2 CONCEPTUAL REVIEW

2.2.1 SOCIOLINGUISTICS

Sociolinguistics is the descriptive study of effect of any or all aspects of society, including cultural norms, expectations, and context on the way language is used and society's effect on language .Sociolinguistics is considered a branch of both linguistics and sociology. However, the broader study of the field may also encompass anthropological linguistics, dialectology, discourse analysis, ethnography of speaking, geolinguistics, the social psychology of language, the sociology of language. According to Hudson, sociolinguistics as a field of

linguistics study gained recognition in the late 1960, and the early 1970s, this show how recent the field is. It studies matters such as the linguistic identity of social groups, social attitudes of language, standard and non-standard forms of language, the patterns and needs of national use social barns of multilingualism and so on. It studies how language varieties differ between groups separated by some social variables such as ethnicity, status, gender, literacy level, age and how creation and compliance to these rules can categorize individual in social or socio-economic classes just as the use varies among social classes, just as use of language varies from place to place.

Many experts have worked on numerous works decoding meaning. However in view of the fact that this study is basically categorized under descriptive linguistics by Dixon (1997), he gave further systematization and more grounding to it.

2.2.2 REGISTER

This is an aspect of aspect of linguistics concerned with sociolinguistics, which is a sub classification under the broader linguistic field or scope. The concept of register is typically concerned with variations conditioned by uses rather than users and involves consideration of situation or context of use, the purpose, subject matter and the relationship between the participants.

The term “register” was first used by the linguist T.B W.Reid in 1956, and began fully operational in the year 1960s by a certain group of linguists who were determined to give a tangible distinction among variations in language according to the user (defined variables such as social, background, geography, sex and age), A speaker can use a wide range of varieties and choices between them at different times. The way language is used in a particular situation, such as legalese or motherese.

According to M.A.K .and R.Hasan, who gave more in-depth notable contribution about register defines it as “the linguistic features which are typically associated with a configuration of situational features with particular values of the field, mode and tenor...” Field refers to “the total event, in which the text is functioning, together with the purposive activity of the speaker or writer, it includes the subject matter”. Mode is” the function of the text in the event, including both channel taken by language-spoken or written, extempore or prepared and its genre, rhetorical mode, as narrative, didactic, persuasive, etc.” The way Tenor refers to the “the type of role interaction, the set of relevant social relations, permanent and temporary, among the participants involved.” This three factors sums up to the values of determining the factors of the linguistic factors of the text.

In linguistics, a register is a defined as the way a speaker uses languages differently in different circumstances. Think about the way words are chosen by

the speaker, the tone of voice used, even the body language, people tend to behave differently chatting with a friend than they would at a formal dinner party or during a job interview. These variations in formality, also called stylistic variations, context, purpose and audience.

Registers are marked by variety of specialized vocabulary and turns of phrases, colloquialisms and the use of jargon and a difference in intonation and pace; in “the study of language”, linguist George Yule describes the function of jargon as helping to create and maintain connections among those who see themselves as “insiders” in some way they exclude “outsiders”. Registers are used in forms of communication, including written, spoken and signed. Depending on grammar, syntax and tone, the register is variety may be extremely rigid or very intimate. You do not even need to use an actual word to communicate effectively. A huff exasperation during a debate or a grin “hello” speaks volumes.

In sociolinguistics, a register is a variety of language used for a particular purpose or in a particular purpose or in a particular communicative situation. For example, when it is an official or in a public setting, an English speaker maybe more likely to follow prescriptive norms for formal.

The term here describes as a language of group of people with common interests of jobs or a language used in a situation associated with such a groups that stated by

Holmes. Based on Fromkin and Rodman in their book *An introduction to language*, call register as stylistic variant of a language appropriate with a particular social setting.

Wardhaugh said that registers are set of vocabulary items associated with discrete occupation or social groups. So the expression is understood by community itself, although we sometimes can also know the meaning of the expression used. The terms show us that register is a feature of language that has special usage dealing with the society.

It is clear from the definition above, that people used different language. The differences may be caused by people who speak, to whom they speak, where they speak, how they speak, and what are the media to communicate. The background of the people also influences the use of language. Language is closely related with the expression. Therefore, the use of the different language may cause different expression.

Halliday and Hasan, in Holmes, insist that registers are not marginal or special varieties of language, rather they cover the total range of language activity in society.

“Register is what you are speaking at that time, depending on what you are doing and the nature of the activity in which the language is

functioning. So, whereas, in principle at least, any individual might go through life speaking only one dialect (in modern complex societies, this is increasingly unlikely ; but it is theoretically possible, and it is used to be norm), it is not possible to go through this life using one register. The register reflects another aspect of the social order, that of the social processes , the different types of social activity that people commonly engage in.”

There are a lot of groups of people in society which are teachers, doctors, lawyers, farmers, sellers, drivers, drivers, advertisers, etc. Each group of people has its own expression. The advertiser community uses its own expression, so that it cannot be understood by the other community.

Register sometimes enable people to identify a certain group and to maintain the relationship in the same occupation or profession. Brown in Biber and Finegan holds that:

“Register is commonly identified by certain phonological variants, vocabularies idioms, and give a similar definition expression that are associated with different occupational or social group.”

Based on the explanation above, it can be concluded that register is a variety of language distinguished according to the use. It is typical and used in certain situation, certain occupation or certain social groups (parts of society) and it usually has a certain purpose.

The function of register is to make easy communication between the members of the certain group. Register also has an important role in the society; it gives further information about the specific purpose of several groups. The meaning of register here means something must have equal meaning between lexical and contextual meaning. Lexical meaning is meaning given by dictionary while contextual or situational meaning has raised from the situation or context where the word, phrase and abbreviation are used.

2.2.3 FEATURES OF THE REGISTER

According to Martin Joos (1976:154) talked about one prominent model, five styles in spoken English. There are five speaking models of language registers or styles, each level has appropriate used that is determined by differing situations. The appropriate language register depends upon the audience (who), the topic (what), purpose (why) and location (where).

- Frozen: this style of communication rarely or never changes. It is also referred to as “static” register, such as biblical quotations, often contains archaisms. Examples are the Lord’s Prayer, the pledge of allegiance of the United States of America and other “static” vocalizations. The wording is exactly the same every time it is spoken.
- Formal: this language is used in formal settings and is one-way in nature. One-way participation; no interruption technical vocabulary or exact definitions are important; includes presentations or introductions between strangers. A common format for this register is speeches for example, sermons, rhetorical questions and statements, speeches pronouncements made by judges, announcements.
- Consultative: people in this register often in conversation, when they are speaking with someone who has specialized knowledge or who is offering

advice. Tone is often respectful (use of courtesy titles). This is two-way participation; a need for background information is provided – for prior knowledge is not assumed, “back-channel behavior” such as “I see”, “uh huh”. For example, teacher/student, doctor/patient or expert/apprentice.

- Causal: This is the register use when people use when they are with friends, close acquaintances and co-workers, family. It is probably the one you think of when you consider how you talk with other people, often in a group setting. This is common among friends in a social setting. Use of slangs, contractions and vernacular grammar is all common and people may also use expletives or off-color language in some settings. Examples a birthday party or family picnic.
- Intimate: linguists say this register is reserved for special occasions, usually between only two people and often in private. Intimate language maybe something as simple inside jokes between friends or a whispered word among lovers and also it includes non-verbal messages. This is the most common among family members and close friends.

2.2.4 REGISTERS ON LEGAL PROFESSION

The idea of register stems from the fact that we use a language for communication; we do so in context of situation determine the kinds or varieties of language that

we use in them. For instance, when we are communicating in a courtroom session (when barristers interact with each other learned colleagues and the judges want to verdicts on a case) the kind of language (or choice of words and diction used are entirely different from the ones other fields (profession used in communication). Below are some of registers associated with legal profession which are commonly used by lawyers/ barristers and judges in the adjudication of law.

- Abuse of process: when criminal charges are leveled against a person based on prejudice.
- Ad idem: in agreement(a Latin term)
- Adjourned: sine dine: when a court case has no date fix it to continue
- Aggravated damages: extra damages awarded because the defendant has caused the victim some loss.
- Bequeath: to leave something such as money or possession in your will.
- Binding Precedent: following the decision made by the higher court.
- Binding Order: an order by court in a criminal crime.
- Capital punishment: punishing someone for a crime by killing them.
- Conclusive evidence: Evidence which by law cannot be disputed.
- De Jure: rightfully(Latin term)

2.2.5 LAW AND ITS RELATEDNESS TO LANGUAGE

Language has to do with the communication between persons, every individuals, groups, societies and a nation at large has the language that is common among them binding them together. Apart from the native languages that differentiate individuals as a result of culture. This language also pin points certain traits of individuals as a result of their status, professions, posts and classes in a society. The language of a lawyer in a similar way is different from others, this is because of its characteristics, component and its description in general, those of which are description in general, those of which are the groups of persons who speaks the language, the types of words common to them and the composition and combination of words and the way it is been used.

The legal language is also known as “legalese”, legal matters are usually written in a specific and peculiar language used by law professionals’ designed for the sole objective of achieving justice through its norms and per formative functions. It is used to stipulate rights and obligations and equally control human behavior and equally control human behavior and human relations.

A lawyer is professional person qualified and authorized to practice law; to conduct lawsuits or give legal advice.

According to oxford learner's dictionary, a lawyer is a person who is trained and qualified to advice people about the law, and to write legal documents. A lawyer qualified someone in the high court of law is called a barrister. The group of persons who speaks this language are called legal practitioners either solicitors or barristers who also advocates.

2.2.6 FEATURES OF LANGUAGE OF A LAWYER

The language of a lawyer is characterized by verbosity, Latin words, embedded clauses, passive verbs and lengthy sentences, hence resulting to complex sentences.

The main characteristics of legal English are as follows:

1) Foreign phrase are sometimes used instead of English phrases { inter alia, instead of among others} some Latin words are:

- Ex Parte-proceedings in the absence of the other party only
- Audi Alterpatem-meaning hear from both parties
- Subpoena-under punishment
- Ipso facto-by the mere fact
- Mandamus-we order
- Quid quid plantanur solo solo cedit- the owner of a land owes anything built on the land and everything in the land.
- Prima-facie-At first sight

- In prompt-in readiness
 - Actus reus-guilty act
 - Ab initio-from the beginning
- 2) The use of punctuation is used insufficiently, particularly in conveyances and deeds we can observe the conspicuous absence of punctuation. In making of legal drafting, punctuation is used to clarify their meaning.
 - 3) Legal English contains some words and titles such as employer and employee, lessor and lessee, in which the reciprocal and opposite nature of the relationship is indicated by the use of alternative endings: -er,-or and -ee.
 - 4) The use of modifiers such as “the same”, “the said”, “the aforementioned”, etc, in the legal texts its interesting because they are used as adjectives to determine the noun but not to replace them, eg “the said john smith”.
 - 5) The use of older words are like “hereof, “thereof”, and “whereof” and other derivatives including: -at, -in, -after, -before, -with, -above, -on, -upon etc are used in legal English primarily to avoid repeating names or phrases, for example: the parties hereto, instead of the parties to this contract.

6) Phrasal verbs are often used in quasi technical sense eg parties enter into contracts put down deposit, serve [documents] upon other parties, write off debts and so on. Legal language is difficult to understand, because of the usage of a large number of difficult words and phrase.

2.2.7 GENERAL DESCRIPTION OF LANGUAGE IN MY OWN WORD

The language is one full jargons, legalese, so many, verbosity and ambiguities it is not audience friendly as an average person cannot comprehend those words without consulting the legal. Lawyers are analytical and very specific in their use of terminology; they choose their term carefully and interpret them precisely. Each profession has their different jargons so do lawyers also. The language of lawyers are hard to comprehend but it takes only are person who can articulate and reason well to understand the language.

2.2.8 IMPORTANCE OF LANGUAGE IN LAW

Words are the essential tools of the legal language. In the study of law, language has great importance; cases turn on the meaning that judges ascribed to words and lawyers must use the right words to effectively communicate the wishes of their client. Linguists are majorly remaining strictly their own science, dealing with the structure of language, the type of words and often by defending the mother tongue from the influence of the foreign words at all costs. Language is a vital tool of

communication between the legislator and other legal entities and citizens, in the form of orders, declarative statements, prohibition etc. In such a way that the content being communicated is clear and understandable to the addressees, who are mostly not legally educated.

2.3 REVIEW OF PREVIOUS STUDIES

This section will be focusing on investigation already carried out in relation to this study. Our main focus will on language and medicine.

Roter and Hall (1992) observe that “talk is the main ingredient in medical care and it is the fundamental instrument by which the doctor-patient relationship is crafted and by which the therapeutic goals are achieved”. The main focus of the physicians is to communicate effectively with their patients to perform their clinical care between a doctor and a patient hangs on how analyses of talk in medical interviews, based typically on observations, audio or video-recordings, provide indices on the ground of good relationship. Besisecker (1990) gave an example, that female physicians tend to spend more time with patients than their male peers, and patients with higher incomes tend to ask more questions and expect more detailed answers from physicians. Gumperz and Hymes (1972) in their work about applying various sociolinguistics approaches (for example, discourse and narrative analysis, and conversational analysis) this view specifics interaction in clinical

encounters as speech events and it directs attention to ways physicians and patients engage in a dialogue through which the particular structure and organization of medical interviews is jointly constructed.

Clark and Misher (1992) further argues that different ways through which physicians may conduct medical interviews may hinder or facilitate patients' efforts to account for and explain their problems in narrative form; to tell their stories.

Atkinson (1995), for example, argues that the dominant emphasis on physician-patient interaction in medical interviews, symbolic of the work of medicine, neglects the significance of what goes in the talk among physicians and other health care professionals.

2.4 CONCERN FOR PRESENT STUDY

This study aims at exploring and analyzing the legal from the sociolinguistic perspective. This will offer a sociolinguistic insight to the contributions of the legal profession as it thus relates to language and how the society sees it. The study also shows how the interaction relevance, the communicative effect and discourse conversational value.

Thus, in this attempt to apply descriptive linguistics by Dixon (1997) and having examined the works of other scholars: this research therefore describes and examines various forms of legal register and functions of the sociolinguistic context.

CHAPTER THREE

THEORETICAL FRAMEWORK

3.1 INTRODUCTION

This chapter focuses on the approach that will be the theoretical framework of the researcher. It gives a general overview of language used in the legal register and it examines the practical use of the descriptive linguistics and the framework within which the data for this work. The theoretical framework adopted in this work is Dixon basic linguistic theory of (1997).

3.2 THE BASIC LINGUISTIC DESCRIPTIVE THEORY

Descriptive theory provides a fundamental characterization of the nature of human languages and comprehensive guide to their description and analysis. In crystal-clear prose, Dixon describes how to go about doing linguistics. The theory shows how grammatical structures and rules may be worked out on the basis of inductive generalizations, and explains the steps by which an attested grammar and lexicon can build up from observed utterances.

The theory also champions the course on how the grammars and vocabulary of one language may be compared to others of the same or different families. It also explains the methods involved in cross-linguistic parametric analyses, and shows

how to interpret the results. The expression “basic linguistic theory” refers to the theoretical framework that is most widely employed in language description, particularly grammatical descriptions of entire languages. It is also the framework assumed by most work in linguistic typology. Basic linguistic theory differs from many other theoretical frameworks in that it is not a formal theory but an informal theory. That is, many grammatical phenomena can generally be characterized with sufficient precision in without the use of formalism. As noted by Dixon (1997:128) "The term Basic Linguistic Theory has recently come into use for the fundamental theoretical concepts that underlie all work in language description and change, and the postulation of general properties of human languages."

Basic linguistics theory belongs to the class of Descriptive theories in linguistics. Descriptive theories are theories about what languages are like. They are theories about what tools we need in order to provide adequate descriptions of individual languages. Originally, the term descriptive was coined to express the distinction between historical or comparative linguistics, which dominated much of 19th century linguistics, and the emerging structuralist paradigm with its emphasis on the notion of a synchronic system. Structuralist linguistics was also eager to emphasize the impartial and objective nature of its approach to language, refraining from taking a stand in matters of linguistic style and 'good usage. Descriptive is thus also opposed to the tradition of prescriptive grammars and

dictionaries which emerged during the formative period of the modern national languages in Europe. It was only in the sixties, during the rise of generative grammar, that descriptive was used in a third contrast pair, i.e. in contrast to generative, explanatory, or formal, the characterizing attributes of the Chomskyan enterprise.

The label 'descriptive' was applied primarily to the work of Bloomfield and his followers, but the term was then later also extended to cover any non-historical, non-prescriptive work outside the generative paradigm. By way of this extension, the term descriptive has come to be associated with the concept of a generally informal statement of the 'facts' of a given language. The concept of descriptive analysis (in any of the three senses) is, in principle, applicable to any set of data, provided that these data represent the actual usage at a given time in a given speech community. The important point to be noted here is that the descriptive approach is not restricted to little-known languages nor is such languages its central concern. Its central concern is of a given synchronic, non-prescriptive statement of the system language. The fact that descriptive linguistics is currently closely associated with work on little known languages is primarily due to the following two factors: First, descriptive techniques have been found highly useful and effective when working on little-known languages.

Consequently, most work done on these languages is done within the descriptive framework. This, however does not mean that the descriptive approach is the only approach possible when working on little-known languages, because of the association of descriptive linguistics with work on little-known languages, descriptive linguistics is also deemed to be competent for, and 'in charge of the data collection and handling procedures necessary when working on little-known languages. A further extension of this view, then, leads to the widespread belief that 'describing a language' is — in the case of previously unrecorded languages -- more or less synonymous with 'documenting a language'.

This present study employs the basic linguistic theory which is a descriptive theory.

Dryer (2006:3) argues that.... A single descriptive theoretical framework has emerged as the dominant theory assumed in descriptive grammars. Dixon (1997) refers to this theoretical framework as "basic linguistic theory. "Basic linguistic theory differs most sharply from other contemporary theoretical frameworks in what might be described as its conservativeness: unlike many theoretical frameworks that assume previous ideas only to a limited extent and freely assume many novel concepts, basic linguistic theory takes as much as possible from earlier traditions and only as much as necessary from new traditions. It can thus be roughly described as traditional grammar, minus its bad features (such as a tendency to describe all languages in terms of concepts motivated for European

languages), plus necessary concepts absent from traditional grammar. It has supplemented traditional grammar with a variety of ideas from structuralism, generative grammar (especially pre-1975 generative grammar and relational grammar), and typology. Basic linguistic theory differs from traditional grammar most strikingly in its attempt to describe each language in its own terms, rather than trying to force the language into a model based on European languages.

Conversely, the attempt to describe each language in its own terms reflects a major contribution of structuralism to basic linguistic theory. Another example of a major contribution of structuralism to basic linguistic theory is the notion of the phoneme. Various concepts from generative grammar, such as secondary predication, have made their way into basic linguistic theory. Such notions as ergativity, split intransitivity, internally-headed relative clauses, and evidentiality are notions that have become central to basic linguistic theory and which are referred to frequently in descriptive grammars. Recurrent phenomena that had not been explicitly observed before continue to come up in the literature, such as the notion of mirativity (DeLancey 1997), and thus become added to the substantive concepts of basic linguistic theory.

Most descriptive grammars written within the past ten or fifteen years can be described as employing basic linguistic theory as their theoretical framework. Basic linguistic theory is traditional grammar modified in various ways by other

theoretical traditions over the years, it is therefore an overall theoretical framework encompassing different points of view, and criticisms of specific practices within basic linguistic theory can often be constructed as theory-internal disagreements as easily as criticisms of basic linguistic theory itself. The improvements in basic linguistic theory over the past twenty-five years have not been prompted by specific attempts to improve it, since most linguists have failed to recognize its status as a theoretical framework. Developments have been the side effect of work in typology, and there is every reason to believe that further developments will continue in coming decades, both because of work in typology and quite possibly from new ideas from some other quarter. However, further improvements might develop if more functional, typological, or descriptive linguists recognized the status of basic linguistic theory as a theory.

The basic linguistic theory has emerged as the dominant theoretical framework for describing languages although there is a widespread failure of linguists to recognize its status as a theoretical framework. There are many ways, however, in which the field has suffered from this failure to recognize basic linguistic theory as a theoretical framework and to recognize the need for both descriptive theories and explanatory theories. Givón (2001: xv), in an apparent retreat from his position in some of his earlier work, emphasizes the need to recognize linguistic structure independent of function; if there are functional explanations for why languages are

the way they are, we need to have some way of describing the things that are being explained.

There is another negative consequence of the failure to distinguish descriptive theory from explanatory theory and to recognize basic linguistic theory as a theory. Because of the false contrast many linguists see between description and theory, and because of the higher prestige associated with what is called theory, work in basic linguistic theory is often dismissed as "merely" descriptive. Thus, if a linguist analyzes a set of data using some transient theory like Minimalism, or Optimality Theory, or Head-driven Phrase Structure Grammar, the analysis will be characterized as "theoretical", but if a linguist analyses a set of data using basic linguistic theory, the analysis will be characterized as descriptive. But this is simply confusing. The analysis assuming basic linguistic theory is just as theoretical in the sense that it assumes a theoretical framework, just like the other analyses. And the analysis in the transient theory is also descriptive in that it provides a description of the data. Now it is true that analyses in other theoretical frameworks often do more than describe the data, but make some additional theoretical point that the facts they are describing bear on. But this is usually because the transient theory is not only intended as a descriptive theory but as an explanatory theory as well, and the additional theoretical point being made is at least partly of significance to the explanatory goals of the theory. In addition, the

theoretical point involves pointing to the need for some modification to the theory. But the analog happens with descriptions in basic linguistic theory: some theoretical significance is drawn from the facts being described.

3.3 Relevance of the Basic Linguistic Descriptive Theory to the Present Study

It has been argued that what Dixon (1997) calls "basic linguistic theory serves as a descriptive theory which is adopted for the present study. It is posited in Dixon (1997:3) that "the basic linguistic theory differs from traditional grammar most strikingly in its attempt to describe each language in its own terms, rather than trying to force the language into a model based on European languages. Basic linguistic theory differs most sharply from other descriptive theoretical frameworks in what may be described as its conservativeness: unlike many descriptive frameworks that assume previous ideas limitedly and freely assume novel ones, basic linguistic theory borrows as much as is needed from earlier methods and as much as necessary from new(er) methods. It can therefore be argued that it is descriptively traditional grammar excluding the 'bad features' (such as a tendency to describe all languages in terms of concepts motivated for European languages) and including innovative terms absent from traditional grammar. Basic linguistic theory therefore supplements its traditional grammar 'descriptivism' (as against 'prescriptivism') with a variety of ideas from structuralism, generative grammar, relational grammar and typology (Dryer 2006:3).

This present study is a discussion on legal register analysis and statements from social media. This is a sociolinguistic issue in which appropriate description and discussions of the data collected and presented for this study is needed. Therefore, the choice for this theory and its relevance to the present study lies in the fact that it is a flexible framework that allows the researcher to stay focused on the data at hand. As shown above, the model of descriptive linguistics adopted for this work is the basic linguistic theory (Dixon 1997).

CHAPTER FOUR

DATA PRESENTATION AND DISCUSSION

4.1 INTRODUCTION

The Data: The word list.

This section entails selected legalese and their sub-categorization setting in Nigeria and crosschecked with a standard legal dictionary. The definitions/ meanings against the words below are strictly from the Black's laws dictionary (9th edition)

1. **Abandoned (adj)**: intentionally or accidentally hidden from public notice, not reduced to practice or not patented.
2. **Abandonment (n)**: the relinquishing of a right or interest with the intention of never reclaiming it.
3. **Acquittal (n)** : the legal certification used by a jury verdict of not guilty.
4. **Alibi (n)** : a defense based on physical impossibility of a defendant's guilt by placing the defendant in a location other than the scene of crime at the relevant time.
5. **Accused (adj)** : the person charged with a criminal offense
6. **Abinito** : from the start of something (a Latin maxim)
7. **Action (verb)** : using the law to make a claim

8. **Alimony (n)** : a court- ordered allowance that one spouse pays the other spouse for support and maintenance while they are separated, while they involved in a matrimonial lawsuit or after they are divorced
9. **Audi altera partem (Latin maxim)** : no man shall be condemned unheard.
10. **Affidavit (n)** : a written statement which is sworn to be true by the person signing it. It is sworn before someone authorized by the court.
11. **Appellant (adj)**: the person who is appealing to a court against a decision of a lower court.
12. **Arrest (n)**: to seize someone, usually because they are suspected of community a crime, and take them into custody.
13. **Assault (n)**: when someone threatens another person with physical harm words on their own do not amount to assault.
14. **Bail (n)**: a security such as cash or a bond; especially security required by a court for the release of a prisoner who must appear in court at a future time.
15. **Bailiff (n)**: a court official who maintains orders during court proceedings.
16. **Barrister (n)** : a lawyer who can speak in the higher courts, which a solicitor is not allowed to do.

17. **Battery** (n): using physical force on someone either intentionally or carelessly and without their agreement.
18. **Beneficiary** (n); someone who benefits from a will, a trust or a life.
19. **Bequest** (n): something given in a will, other than land or real property.
20. **Bigamy** (n): the offence committed by someone who is already married but still goes through a marriage ceremony with else.
21. **Blackmail**: demanding payment from a person
22. **Bona fide** (Latin maxim) : genuine, sincere or in good faith
23. **Brief** : a document prepared by a solicitor which contains the instructions for the barrister to follow when acting for the solicitor in court
24. **Burglary** : entering a building without permission, with the intention of stealing or doing damage
25. **Case**: A civil or criminal proceeding, action, suit or controversy at law or in equity.
26. **Civil** (adj) : of or relating to the state or it's citizenry or of relating to private rights and remedies that are sought by action or suit, as distinct from criminal proceedings.

27. **Child:** a person who has not reached the age of 14
28. **Caveat :** a warning (latin maxim) or caution registered with the public court to indicate to the officials that they are not to act in the matter mentioned in the caveat without first giving notice to the caveator.
29. **Caveat Emptor** (Latin maxim) : “buyer beware” . it is used to warn people buying goods that they may not be able to get compensation if the goods they buy are faulty
30. **Chambers:** the offices used by barristers and the judge’s private office
31. **Charge:** to formally accuse someone of committing a crime.
32. **Cohabitation :** the fact or state of living together especially as partners in life usually with the suggestion of sexual relations
33. **Crime:** An act that the law makes punishable; the breach of a legal duty treated as a subject matter of a criminal proceeding.
34. **Criminal(n):** One who has committed an offense, one who has been convicted of a crime.
35. **Damage:** the name for money awarded by a court compensation

36. **Debt:** liability on a claim, a specific sum of money due by agreement or otherwise.
37. **Decree:** an order by a court
38. **Deed:** a legal document which commits the person signing it to something.
39. **De facto** (Latin maxim): in fact or in reality
40. **Defamation** (n): the act of harming the reputation of another by making false statement to a third person
41. **Defense:** a defendant's stated reason why the plaintiff or prosecutor has no valid cost; especially a defendant answer, denial or plea
42. **Defendant:** a person defending a court action which has been taken against them
43. **De jure** (Latin maxim): rightfully or by law
44. **Divorce:** the legal end of a marriage
45. **Embezzlement** (n): the fraudulent act of taking personal property with which one has been entrusted especially as a fiduciary
46. **Eviction** (n): the act or process of legally dispossessing a person of land or rental property

47. **Execution** (n): the act of carrying out or putting into effect (as a court or a securities transaction)
48. **Fraud** (n): a knowing misinterpretation of the truth or concealment of material fact to induce another to act to his or her detriment
49. **False imprisonment**: wrongfully keeping someone in custody (for example, in prison)
50. **Garnishee** (n) : a person or institution (such as a bank) that is indebted to or another whose property has been subjected to garnishment.
51. **Gazumping** (n): the improper sale of a house , usually by raising the price after accepting an offer.
52. **Genocide** (n) : an international crime involving acts causing serious physical and mental harm with the intent to destroy or partially or entirely, a national , ethnic , racial or religious group
53. **Gift** (n): the voluntary transfer of property to another without compensation.
54. **Guardian** (n) : one who has the legal authority and duty to care for another person or property especially because of the other's infancy , incapacity or disability
55. **Guilty**: a court's verdict that the person charged with a crime committed it

56. **Habeas corpus** (Latin maxim) : a writ which can be applied for, to order a person's release if they have been imprisoned unlawfully.
57. **Homicide** (n) : the killing of one person by another
58. **Human rights** (n) : the freedoms, immunities and benefits that according to modern values (especially of an international level) all human beings should be able to claim as a matter of right in the society which they live.
59. **Illegitimacy** (n) : the status of a person who is born outside of a lawful marriage and who is not later legitimated by the parents
60. **Immigration** (n): the act of entering a country with the intention of staying there permanently
61. **Judge** (n) : a public official appointed or elected to hear and decide legal matters in a court.
62. **Judgement** () : a decision made by the court.
63. **Jurisdiction** (n): a government's general power to exercise authority over all persons and things within its territory, especially a state's power to create interests that will be recognized under common-law principles as valid in other states.
64. **Justice**: the fair and proper administration of laws

65. **Kidnapping:** at common law, the crime of forcibly abducting a person from his or her country and sending the person to another.
66. **Land:** the buildings built on the lands or the subsoil or the property fixed to a land.
67. **Law:** the regime that orders human activities relations through systematic application of the force of politically organized society, or through social pressure, backed by force in such a society. The legal system (respects and obeys the law)
68. **Lawsuit:** a claim made in a court of law
69. **Lease:** a contract between the owner of a property and a tenant, giving the tenant sole use of the property for an agreed time.
70. **Legal (adj):** of, or relating to law, falling within the province of law
71. **Legal:** a gift left to someone in a will, but not including land.
72. **License (n):** a permission usually revocable to commit some act that would otherwise be unlawful especially an agreement
73. **Libel:** a false statement made in writing or in some other permanent record (such as film)

74. **Magistrate:** a justice of peace who presides over is in charge of minor cases heard in the magistrates' court
75. **Malice (n):** the intent, without justification or excuse to commit a wrongful act.
76. **Marriage (n):** the legal union of a couple as spouses
77. **Molestation:** the persecution or harassment of someone.
78. **Negligence:** the failure to exercise the standard of care that a reasonably prudent **person** would have exercised in a similar situation.
79. **Negotiate (v):** to communicate with another party with the purpose of reaching an understanding.
80. **Next of kin:** a person's closest blood relative.
81. **Notice:** a warning of something which is about to happen.
82. **Oath:** swearing the truth of a statement
83. **Obligation (n):** a legal or moral duty to not do something
84. **Occupancy:** the act or condition of holding, possessing or residing in or on something; actual possession, residence, or tenancy especially of a dwelling or land
85. **Offense:** a violation of the law

86. **Parole** (n): the conditional release of a prisoner from imprisonment before full sentence has been served.
87. **Per se** (Latin maxim): in itself or by itself
88. **Passing off** (n): the act or an instance of falsely representing one's own product as that of another in an attempt to deceive potential buyers
89. **Plaintiff**: the person who goes to court to make a claim against someone else
90. **Patent** (n): a governmental grant of right, privilege or authority
91. **Rape** (n): at common law, unlawful sexual intercourse committed by a man with a woman not his wife through force and against her will
92. **Slander** (n): a defamatory assertion expressed in transitory form especially speech.
93. **Tenancy**: the possession or occupancy of land under a lease
94. **Testament** (n): evidence that a competent witness under an oath or affirmation gives a trial in an affidavit or deposition
95. **Testimony** (n): traditionally, a will disposing a personal property

96. **Union** (n) : an organization formed to negotiate with employers on behalf of workers collectively about job related issues, such as ; salary, benefits hours and working conditions.

97. **Vacancy** (n): the state or fact of a lack of occupancy in an office , post or piece of property

98. **Valid** (adj): legally sufficient; binding contract

99. **Vend** (v): to transfer to another for money or something else of value

100. **Verdict** (n): a jury's finding or decision on the factual issues of a case.

4.2 DISCUSSION OF WORD LIST (Classifications of word list)

- **ACTION**

Blessing filed an action against Mr John for the tort of defamation for calling her a prostitute.

- **VERDICT**

The court gave a verdict that the accused was guilty of murder in the case of Obani vs. the state.

- **BAIL**

The judge granted bail to the accused on certain conditions that were stipulated by the court.

- **NELIGENCE**

In a case held that of Donoghue vs Stevenson that the defendant is liable for negligence because the found a decomposed tooth in the defendant's product which made the product defective.

- **PLAINTIFF**

The appealed to the decision of the trial court, in the case of Nadia Bakery vs. Edo State Government.

- **CHAMBERS**

During the dissolution of marriage between Tonto Dikeh and Olukunle Churchill, where the judge invited them to his chamber for mediation for resolution.

- **VALID**

For a contract to be valid there has to be offer, acceptance and intention to enter legal relations.

- **Caveat Emptor**

The landlord who happens to be the defendant placed a sign post at the entrance of the land- caveat emptor {buyer beware}.

- **EMBEZZLEMENT**

Ambrose Alli was sentenced to 100 years imprisonment for Embezzlement of public funds #983,000.

- **DECREE**

During the military era, decrees were the highest laws that were Made by the general.

- **NEGOTIATE**

When companies want to sign a deal with another company they usually send their legal solicitors to negotiate on their behalf.

- **ACQUITTAL**

An acquittal was given to the accused after the court found out he was not guilty of the offence he was charged for.

- **DAMAGE**

In an action for negligence one of the conditions that is considered by the court is the damage that was done to the plaintiff.

CHAPTER FIVE

SUMMARY, FINDINGS AND CONCLUSION

5.1 INTRODUCTION

In this research, our focus has been sociolinguistics analysis of legal register among Asaba lawyers; this chapter summarizes the study, highlights all findings. Section 5.2 serves as a brief summary the issues addressed in each chapter. Section 5.3 is a presentation outline of the result findings of the issues addressed in the study. Section 5.4 concludes with concluding remark.

5.2 SUMMARY

This work investigates and accounts for the register analysis of legal expression among Asaba Lawyers. The work holds the findings that bring to light relationship between lawyers and laymen.

Chapter one served as general introduction to the work. It set a platform on which to understand and appreciate the aim and objectives by providing relevant information pertaining to the work, methodology, statement of problem and significance of study.

Chapter two introduced background information about our main focus on conceptual review such as language, sociolinguistics, register and it goes further to review the work of different scholars to establish the basis on which the study will be taken and includes the previous studies relating to this work and the concern of study.

Chapter three is about the theoretical framework by Dixon (1997) about the basic linguistic descriptive theory which gives guide to the basic components of grammar usage, principles to follow and terminology as it pertains to its social class.

Chapter four shows the data word list and analyzed employed by discussions of how the word list is described and used in typical court settings.

5.3 FINDINGS

The following findings were below deductions of the process of this work and also based on the data examined and analyzed;

From the data analysis, legal language is a complex multi-level formation manifesting itself in various forms and ways. The use of legal language is not exclusively limited to legal professionals. Legal language may be grouped into professional legal language (i.e. Used exclusively by the members of the corresponding profession) and unprofessional legal languages (unrelated to the professional affiliation of speakers and addressees)

Linguistics and legal linguistics contains a widely shared view on legal language as one of sub-styles or functional styles of the literary language.

5.4 CONCLUSION

In conclusion, based on previous explanation and analysis on this research, the conclusion is that register is a variety of language distinguished according to the use. It is typical and used in certain situation, certain occupation or certain social group and it usually has certain purpose. There are some professions that need the register to make an easy communication with their relatives and associates. It is because they work on the same groups and have the same common interest. The formal register which pertains to the legal profession, formal register is used in formal situation, jargon, report, lecture etc. The factor that makes differences of register in spoken and written language are, the participant, the setting, the function, the topic. To make communication more effectively and efficiently, to show the society that they come from the educated community especially when using jargon, to be more polite.

The following definition of legal language is suggested: a sign system , designed to express informational component of law system, providing for creative , implemental , scientific and educational activities and communication of participants in legal relations.

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APPENDIX

Abandoned – Civil and criminal law

Abandonment – Civil and Criminal Law

Acquittal – Criminal Law

Alibi – Criminal Law

Accused – Criminal

Ab initio – Civil and Criminal Law

Action – Civil and Criminal Law

Audi Alterem Partem – Civil and Criminal Law

Affidavit – Civil and Criminal Law

Appellant – Civil and Criminal Law

Arrest – Criminal Law

Assault – Civil (tort) and Criminal

Bail – Criminal Law

Bailiff – Court staff/messenger used for both Criminal and Civil cases

Barrister – Used to mean a lawyer appearing in court for both civil and criminal law

Beneficiary – Civil Law

Bequest – Civil law

Bigamy – Civil (family) Law

Blackmail – Criminal Law

Bona fide – Civil and Criminal Law

Brief – Civil and Criminal Law

Burglary – Criminal Law

Child – Used in both Civil and Criminal Law

Execution – Civil and Criminal Law

Fraud – Criminal Law

False Imprisonment – Civil and Criminal Law

Garnishee – Civil Law

Gasumping – Civil Law

Genocide – Criminal Law

Gift – Civil Law

Guardian – Civil (Family Law) Guilty – Criminal Law

Habeas corpus – Civil and Criminal Law

Homicide – Criminal Law

Human Rights – Civil and Criminal Law

Illegitimacy – Civil Law

Immigration – Civil and Criminal Law

Judge – Civil and Criminal Law

Caveat – Civil Law

Caveat Emptor – Civil Law

Chambers – Civil and Criminal Law

Charge – Criminal Law

Cohabitation – Civil Law

Crime – Criminal Law

Criminal – Criminal Law

Damage – Civil Law

Debt – Civil Law

Decree – Civil (Family Law)

Deed – Civil (Property Law)

De facto – Civil and Criminal Law

Defamation – Civil Law

Defense – Civil and Criminal Law

Defendant – Civil and Criminal Law

De jure – Civil and Criminal Law

Divorce – Civil (Family) Law

Embezzlement – Criminal Law

Eviction – Civil (Property) Law

Judgement – Civil and Criminal Law

Jurisdiction – Civil and Criminal Law

Justice – Civil and Criminal Law

Kidnapping – Criminal Law

Land – Civil (Property) Law Law – Civil and Criminal Law

Law suit – Civil and Criminal Law

Lease – Civil and Criminal Law

Legal – Civil and Criminal Law

License – Civil and criminal Law

Libel – Civil Law

Magistrate – Civil and Criminal Law

Malice – Civil and Criminal Law

Marriage – Civil (Family) Law

Molestation – Criminal Law

Negligence – Civil (Tort)

Debt – Civil Law

Negotiate – Civil Law

Next of Kin – Civil Law

Notice – Civil and Criminal Law

Oath – Civil and Criminal Law

Obligation – Civil Law

Occupancy – Civil (Property) Law

Offense – Criminal Law

Parole – Criminal Law

Per se – Civil and Criminal Law

Passing-off – Civil Law

Plaintiff – Civil Law

Patent – Civil (Intellectual Property) Law

Rape – Criminal Law

Slander – Civil Law

Tenancy – Civil (Property) Law

Testament – Civil and Criminal Law

Testimony – Civil and Criminal Law

Union – Civil Law

Vacancy – Civil Law Valid – Civil and Criminal Law

Vend – Civil Law

Verdict – Criminal Law

Violation – Civil and Criminal Law

Warrant – Criminal Law

Witness – Civil and Criminal Law

