

Analyzing Reading Comprehension of Pakistani Learners of Law with Reference to Statutes, a Legal Genre

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Abstract:

Statutes or “Legislative English” is a “high stake” genre in legal settings. In situations where learners’ first language is other than English, law students and recent graduates in the profession of law reportedly find it hard to cope with statutes while performing academic and occupational task. The aim of this paper is to identify the level of linguistic adequacy of Pakistani learners of law with regard to two areas: 1) learners’ understanding of complex structure of statutes, and 2) their ability to apply statutes to cases. This empirical research was carried out through survey questionnaires by taking into account three members of legal discourse community: teachers of law, recent graduates and senior lawyers. The analysis revealed that a vast majority of learners have inadequate competence. The findings provide insights to course developers in the field of English for Academic Legal Purposes (EALP) and English for Occupational Legal Purposes (EOLP).

1. Introduction

Legal education in Pakistan has been a subject of debate with reference to medium of instruction. Pakistan is a common law country; therefore language of the law is English. However, there has been two media of instruction: Urdu (national language) and English. Those who study law through Urdu medium of instruction face problems in occupational settings. As language of the law is not the first language of learners, even those who study law in English report difficulty in understanding the complex structure of statutes and their application in academic and occupational settings. The present research is an investigation to judge the existing level of competence of Pakistani learners of law with reference to a distinct legal genre i.e., statutes. The study has a wide scope as the findings will provide useful insights to course developers in the field.

2. Literature Review

Legal genres are defined in the following manner:

The highly institutionalized, and sometimes ritualized discourse of the law often follows regular patterns;

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organized sequences of elements which each play a role in achieving the purpose of the discourse.

Gibbons (2004:286)

It is well established in reading theory that knowledge of the genre that one is reading is important, and sometimes essential for understanding (Wallace, 1990; Weaver, 1988). This is why in part legal language can be difficult for lay readers to understand, while lawyers have less difficulty (Gibbons, 2004:286). Some fundamental written genres in legal English are statutes (“Legislative English”), cases, law reports, law review journals and law textbooks. In this context, I will review literature related to statutes or “Legislative English”.

Bhatia (1994:141-153) provides the syntactic features of legislative genre under the following headings:

- Sentence length
- Nominal character
- Complex prepositional phrases
- Binominal and multinominal expressions
- Initial case descriptions
- Qualifications in legislative provisions
- Syntactic discontinuities
- Cognitive structuring in legislative provisions

Bhatia demonstrates that legislative statements have “conventionalized communicative purpose mutually shared by the practicing members of the specialist community. Also, it has been indicated that

the typical use of complex prepositions, binominal and multinominal expressions, nominalizations, the initial case descriptions, a large number and variety of qualificational insertions make syntactic discontinuities somewhat unavoidable in the legislative statements, and to a large extent, account for the discourse patterning that is typically displayed in such provisions.

Bhatia (1994:153)

The findings of Bhatia’s (1983) corpus study of legislative text show that three categories of qualifications perform ten functions. Bhatia (1993:33), while describing the cognitive structuring in legislative texts, displays an interactive move-structure in legislative writings, where the density and the complexity of qualificational insertions serve as typically legal function in this genre. For pedagogical purposes, Bhatia suggests “easification” of legislative texts through certain techniques, like textual mapping.

Before Bhatia (1983), a number of other studies and reports have appeared on the problematic nature of legislative writing in general (Aiken, 1960; Allen, 1957; Anshen, 1957; Beardsley, 1941; Christie, 1964; Davision, 1980; Hager, 1959; Hancher, 1980; Lewis, 1972; Littler, 1950; Mehler, 1960-61; Mellinkoff, 1963; Morton, 1941; Probert 1968; Renton, 1975; Robinson, 1973), yet there have been very few attempts by linguists to unravel the mysteries of legislative drafting.

Crystal and Davy (1969) stylistically analyzed the legislative English at various levels: graphitic, typographical, lexical, syntactic and phonological etc. For graphitic and typographical levels, capitalization, spaces and numbering etc. have been taken into consideration. Archaism, collocations and French and Latin influences are discussed for lexical features of legal language, whereas grammatical characteristics and sentence length etc. have been analyzed while highlighting the syntactic properties of language of the law. Further, phonological level has been discussed in the context of utterances of legal texts written with special graphology of the discipline. Significance of the use of articles and linguistic conservatism are also the topics of discussion. Some general characteristics of the language of law are that it is 'least communicative', 'subject-specific', 'all inclusive' and has 'sub-varieties'.

Moreover, Spencer (1980) has been able to highlight the distinct features of legislative writing. Similarly, Gustaffsson's (1975, 1984) studied the complexity of legislative writing but her approach restricts her findings to the level of surface generality.

3. Research Methodology

As the present research was an investigation to judge the existing level of competence of Pakistani learners of law with reference to a distinct legal genre i.e., statutes, therefore the research question was:

- What level of linguistic adequacy do the learners of law have with regard to understanding the complex structure of statutes and their application to cases?

To answer this question, a survey research was carried out using questionnaires. Data was collected from three important members of the legal discourse community: teachers of law, recent graduates and senior lawyers. Therefore, three questionnaires were constructed (one for each population group) with similar items. In total, each questionnaire had three items. The first two items were close-ended and dealt with learners' ability to 1) comprehend statutes, and to further 2) apply them to cases. The third item was open ended, and its purpose was to record the perceptions of the population groups in this context. A method of purposive sampling was used.

In purposive sampling, also referred to as judgment sampling, the researcher selects a sample based on his experience and knowledge of the group to be sampled. For

example, if a researcher planned to study exceptional high school, he would choose schools to study based on his knowledge of exceptional schools. Prior knowledge or experience might lead the researcher to select exceptional high schools based on criteria such as proportions of students going to four-year colleges, large numbers of AP students, extensive computer facilities, and high proportions of teachers with advanced degree. Notice that there is an important difference between convenience samples, in which participants who happen to be available are chosen, and purposive sampling, in which the researcher uses experience and prior knowledge to identify criteria for selecting the sample. Clear criteria provide a basis for describing and defending purposive samples.

Gay and Airasian (2003:115)

The selection of research sites to draw population sample was based on my prior knowledge and experience. In this context, five cities were selected as research sites having five universities; the largest university from each city. As Pakistan has four provinces, the capital cities and the largest universities in each capital were selected. However, from the province of the Punjab an extra city and an extra university from that city were also selected. The following Table 1.1 is relevant in this context.

Table 1.1: Names of the universities along with the names of the cities and the provinces they are located in

No.	University	City	Province
1.	The University of the Punjab	Lahore	Punjab
2.	Bahauddin Zakariya University	Multan	Punjab
3.	University of Karachi	Karachi	Sindh
4.	University of Peshawar	Peshawar	NWFP (North West Frontier Province)
5.	University of Balochistan	Quetta	Balochistan

The following Table 1.2 provides information related to the number of questionnaires sent to each population group, the number of returned questionnaires and the rate of return.

Table 1.2: Number of questionnaires sent to each population group, the number of returned questionnaires and the rate of return

Questionnaire	Population Group	Number of Sent Questionnaire	Number of Returned Questionnaires	Return Rate
Questionnaire 1	Teachers of Law	400	197	49.25%
Questionnaire 2	Recent Law Graduates	400	220	55.0%
Questionnaire 3	Senior Lawyers	400	207	51.75%
		Total: 1200	Total: 624	Overall:52%

For quantitative data, responses were entered into an Excel (2002) workbook and the data were then imported into SPSS Version 11.5 (2002). On the other hand, for qualitative data, responses to open-ended questions were entered using the Word. A separate two-column table was created for each open-ended question. Within each row of the table, the participant’s word-for-word response was entered in the first column and a summary of the main ideas in the response was entered in the second column.

4. Data Analysis

The research question in this project was:

What level of linguistic adequacy do the learners of law have with regard to understanding the complex structure of statutes and their application to cases?

Therefore, this section reports quantitative and qualitative analysis about the learners’ competence in two areas:

1. understanding the complex structure of statutes
2. applying statutes to cases

The section analyzes perceptions of the teachers of law, recent law graduates and senior lawyers. First, I will report the quantitative findings. Next, qualitative findings have been taken into account.

4.1 Quantitative Analysis

This section is further divided into two parts: understanding the complex structure of statutes and applying statutes to cases.

4.1.1 Understanding Complex Structure of Statutes

This section reports the perceptions of teachers of law, recent graduates and senior lawyers respectively. The section ends with a comparative analysis of combined groups’ perceptions.

a) Teachers of Law

Out of a total of 197 teachers, 9.8% (n=19) indicated that their students had extremely inadequate skill of understanding complex structure of statutes. Moreover, a vast majority i.e. 72.0% (n=139) reported that students had inadequate ability in this linguistic task. Conversely, 10.9% (n=21) indicated that students had adequate ability. Similarly, 7.3% (n=14) teachers believed that students had extremely adequate skill in this context. The number of missing data was 4. See Table 2.1. Mean was 2.16 with the standard deviation of 0.690. See Table 2.2.

To sum up, the respondents who indicated that students had either inadequate or extremely inadequate skill were 81.9% (n=158), whereas only 18.1% (n=35) believed that they had either adequate or extremely adequate ability. See Table 2.3.

Table 2.1 Frequency Analysis: *Teachers' perceptions with regard to the skill of "understanding complex structure of statutes"*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	19	9.6	9.8	9.8
Inadequate	139	70.6	72.0	81.9
Adequate	21	10.7	10.9	92.7
Extremely Adequate	14	7.1	7.3	100.0
Total	193	98.0	100.0	
Missing Data	4	2.0		
Total	197	100.0		

Table 2.2 Descriptive Statistics: *Teachers' perceptions with regard to the skill of "understanding complex structure of statutes"*

	N	Minimum	Maximum	Mean	Standard Deviation
understanding complex structure of statutes	193	1	4	2.16	0.690

Table 2.3 Count Percentage: *Teachers' perceptions with regard to the skill of "understanding complex structure of statutes"*

	Inadequate	Adequate	Total
Count % within sample group	81.9% (n=158)	18.1% (n=35)	100.0% (n=193)

b) Recent Graduates

Recent graduates who returned the questionnaires were 220. The number of missing data was 2. The graduates, who thought that the skill of understanding complex structure of statutes was extremely inadequate, were 16.5% (n=36), and those who believed that they had inadequate ability were 63.8% (n=139). However, 16.1% (n=35) and 3.7% (n=8) indicated that they had adequate and extremely adequate proficiency respectively. See Table 2.4. Mean was 2.07 with the standard deviation of 0.685. See Table 2.5.

To conclude, the respondents who indicated that they had either inadequate or extremely inadequate skill were 80.3% (n=175). This was contrary to 19.7% (n=43) who said that they had either adequate or extremely adequate ability in this area. See Table 2.6.

Table 2.4 Frequency Analysis: *Recent graduates' perceptions with regard to the skill of "understanding complex structure of statutes"*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	36	16.4	16.5	16.5
Inadequate	139	63.2	63.8	80.3
Adequate	35	15.9	16.1	96.3
Extremely Adequate	8	3.6	3.7	100.0
Total	218	99.1	100.0	
Missing Data	2	.9		
Total	220	100.0		

Table 2.5 Descriptive Statistics: *Recent graduates' perceptions with regard to the skill of "understanding complex structure of statutes"*

	N	Minimum	Maximum	Mean	Standard Deviation
understanding complex structure of statutes	218	1	4	2.07	0.685

Table 2.6 Count Percentage: *Recent graduates' perceptions with regard to the skill of "understanding complex structure of statutes"*

	Inadequate	Adequate	Total
Count % within sample group	80.3% (n=175)	19.7% (n=43)	100.0% (n=218)

c) Senior Lawyers

Out of 207 returned questionnaires, 15.9% (n=33) lawyers indicated that the graduates practicing law under their guidance had extremely inadequate ability, whereas those who mentioned that they had inadequate skill were 65.2% (n=135). On the other hand, 15.0% (n=31) and 3.9% (n=8) opted for “adequate” and “extremely adequate” respectively. See Table 2.7. In this case, mean was 2.07 with the standard deviation of 0.679. See Table 2.8.

Overall, the senior lawyers who believed that the graduates who practiced law under their guidance had inadequate or extremely inadequate skill of understanding complex structure of statutes were in an overwhelming majority i.e. 81.2% (n=168). Only 18.8% (n=39) lawyers opted indicated that the skill was adequate or extremely adequate. See Table 2.9.

Table 2.7 Frequency Analysis: *Senior lawyers’ perceptions with regard to the skill of “understanding complex structure of statutes”*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	33	15.9	15.9	15.9
Inadequate	135	65.2	65.2	81.2
Adequate	31	15.0	15.0	96.1
Extremely Adequate	8	3.9	3.9	100.0
Total	207	100.0	100.0	

Table 2.8 Descriptive Statistics: *Senior lawyers’ perceptions with regard to the skill of “understanding complex structure of statutes”*

	N	Minimum	Maximum	Mean	Standard Deviation
understanding complex structure of statutes	207	1	4	2.07	0.679

Table 2.9 Count Percentage: *Senior lawyers’ perceptions with regard to the skill of “understanding complex structure of statutes”*

	Inadequate	Adequate	Total
Count % within sample group	81.2% (n=168)	18.8% (n=39)	100.0% (n=207)

d) Comparative Analysis of Combined Groups' Perceptions

More than 80%, of all the three population groups under discussion, indicated that the skill of understanding complex structure of statutes was inadequate. 81.9% (n=158) teachers, 80.3% (n=175) recent graduates and 81.2% (n=168) senior lawyers indicated that this skill was inadequate. According to combined groups' perceptions, out of 618 respondents from the three groups, 81.1% (n=501) believed that this skill was inadequate. See Table 2.10.

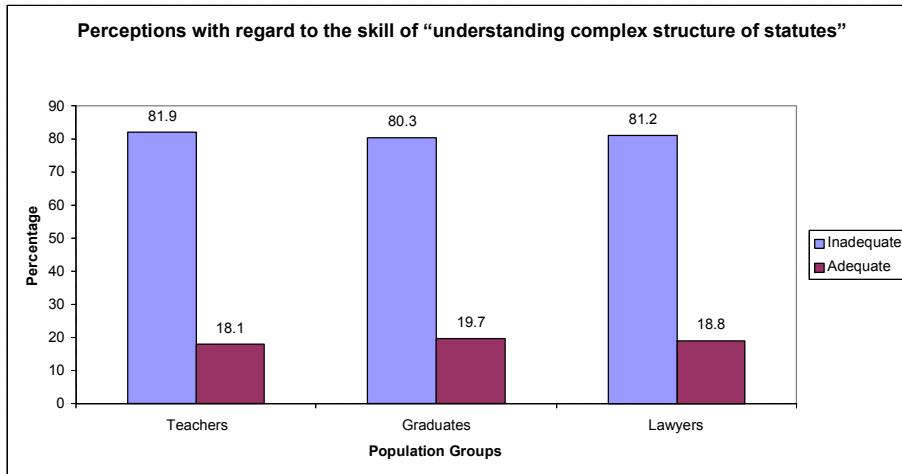
Table 2.10 *Perceptions of individual and combined groups with regard to the skill of "understanding complex structure of statutes"*

	Sample Group	Inadequate (Count %)	Adequate (Count %)	Total
1	Teachers of Law	81.9% (n=158)	18.1% (n=35)	100.0% (n=193)
2	Recent Graduates	80.3% (n=175)	19.7% (n=43)	100.0% (n=218)
3	Senior Lawyers	81.2% (n=168)	18.8% (n=39)	100.0% (n=207)
Total	Combined Groups	81.1% (n=501)	18.9% (n=117)	100.0% (n=618)

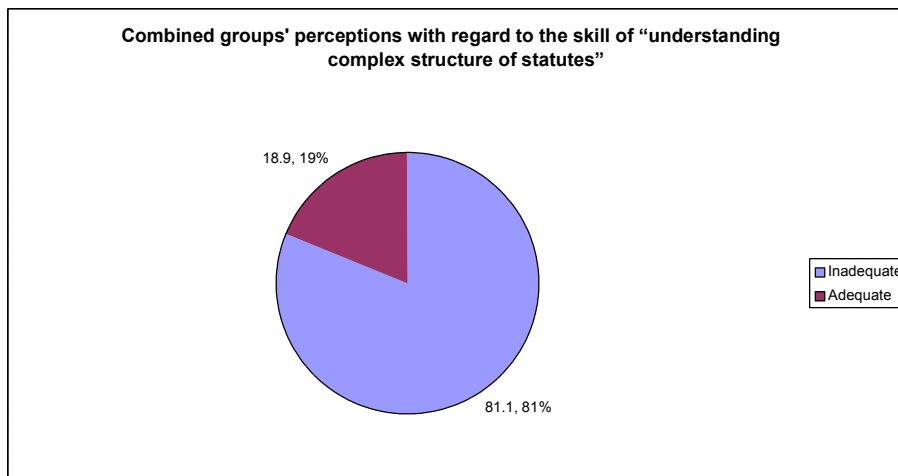
Table 2.11 **Chi-Square Test**

	Value	Df	Asymp. Sig.
Pearson Chi-Square	0.170	2	0.918

Graph 2.1



Graph 2.2



4.1.2 Applying Statutes to Cases

This section reports the perceptions of teachers of law, recent graduates and senior lawyers respectively. The section ends with a comparative analysis of combined groups' perceptions.

a) Teachers of Law

The total number of teachers that returned the questionnaires was 197. The number of missing data was 8. Out of the remaining 189, the respondents who indicated that their students' skill of applying statutes to cases was extremely inadequate were 10.6% (n=20), whereas those who indicated that this skill was inadequate were 69.3% (n=131). On the other hand, 15.9% (n=30) teachers mentioned that students had adequate competence in this case. Similarly, 4.2% (n=8) teachers said that their students had extremely adequate ability. See Table 3.1. Mean and standard deviation were 2.14 and 0.646 respectively. See Table 3.2.

Overall, the respondents who believed that this skill was either inadequate or extremely inadequate were in majority i.e. 79.9% (n=151), whereas those who said that it was adequate or extremely adequate were only 20.1% (n=38). See Table 3.3.

Table 3.1 Frequency Analysis: *Teachers’ perceptions with regard to the skill of “applying statutes to cases”*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	20	10.2	10.6	10.6
Inadequate	131	66.5	69.3	79.9
Adequate	30	15.2	15.9	95.8
Extremely Adequate	8	4.1	4.2	100.0
Total	189	95.9	100.0	
Missing Data	8	4.1		
Total	197	100.0		

Table 3.2 Descriptive Statistics: *Teachers’ perceptions with regard to the skill of “applying statutes to cases”*

	N	Minimum	Maximum	Mean	Standard Deviation
applying statutes to cases	189	1	4	2.14	0.646

Table 3.3 Count Percentage: *Teachers’ perceptions with regard to the skill of “applying statutes to cases”*

	Inadequate	Adequate	Total
Count % within sample group	79.9% (n=151)	20.1% (n=38)	100.0% (n=189)

b) Recent Graduates

Out of 220 returned questionnaires, the number of missing data was 4. From the rest of questionnaires, the graduates who mentioned that their skill of applying statutes to cases was extremely inadequate were 10.6% (n=23). Similarly, those who opted “inadequate” were 60.2% (n=130). Contrary to it, 15.7% (n=34) graduates felt that they had adequate skill. Similarly, 13.4% (n=29) graduates indicated that they had extremely adequate ability in this area. See Table 3.4. Mean was 2.32 with the standard deviation of 0.838. See Table 3.5.

In summary, 70.8% (n=153) recent graduates opted either “extremely inadequate” or “inadequate”. On the other hand, 29.2% (n=63) indicated that they were adequate or extremely adequate. See Table 3.6.

Table 3.4 Frequency Analysis: *Recent graduates' perceptions with regard to the skill of "applying statutes to cases"*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	23	10.5	10.6	10.6
Inadequate	130	59.1	60.2	70.8
Adequate	34	15.5	15.7	86.6
Extremely Adequate	29	13.2	13.4	100.0
Total	216	98.2	100.0	
Missing Data	4	1.8		
Total	220	100.0		

Table 3.5 Descriptive Statistics: *Recent graduates' perceptions with regard to the skill of "applying statutes to cases"*

	N	Minimum	Maximum	Mean	Standard Deviation
Applying statutes to cases	216	1	4	2.32	0.838

Table 3.6 Count Percentage: *Recent graduates' perceptions with regard to the skill of "applying statutes to cases"*

	Inadequate	Adequate	Total
Count % within sample group	70.8% (n=153)	29.2% (n=63)	100.0% (n=216)

c) Senior Lawyers

For this population group, 207 respondents returned the questionnaires. The number of missing data was only 2. The senior lawyers who indicated that this skill was extremely inadequate were 12.2% (n=25), and 63.9% (n=131) mentioned that students had inadequate ability. On the other hand, those who opted "adequate" were 14.6% (n=30). Moreover, for 9.3% (n=19), the skill was extremely adequate. See Table 3.7. Mean was 2.21 and standard deviation was 0.773. See Table 3.8.

In the end, those who opted "extremely inadequate" or "inadequate" were in majority i.e. 81.2% (n=168), whereas only 18.8% (n=39) opted "extremely adequate" or "adequate". See Table 3.9.

Table 3.7 Frequency Analysis: *Senior lawyers’ perceptions with regard to the skill of “applying statutes to cases”*

	Frequency	Percent	Valid Percent	Cumulative Percent
Extremely Inadequate	25	12.1	12.2	12.2
Inadequate	131	63.3	63.9	76.1
Adequate	30	14.5	14.6	90.7
Extremely Adequate	19	9.2	9.3	100.0
Total	205	99.0	100.0	
Missing Data	2	1.0		
Total	207	100.0		

Table 3.8 Descriptive Statistics: *Senior lawyers’ perceptions with regard to the skill of “applying statutes to cases”*

	N	Minimum	Maximum	Mean	Standard Deviation
Applying statutes to cases	205	1	4	2.21	0.773

Table 3.9 Count Percentage: *Senior lawyers’ perceptions with regard to the skill of “applying statutes to cases”*

	Inadequate	Adequate	Total
Count % within sample group	76.1% (n=156)	23.9% (n=49)	100.0% (n=205)

d) Comparative Analysis of the Combined Groups’ Perceptions

For a majority of respondents, the reading skill of applying statutes to cases was inadequate. Combined groups’ analysis reveals that 75.4% (n=460) respondents perceive that the skill was inadequate, whereas 24.6% (n=150) believe that it was adequate. The majority of all the three population groups under discussion i.e. teachers, graduates and lawyers reveals that the skill was inadequate as 79.9% (n=151) teachers, 70.8% (n=153) recent graduates and 76.14% (n=156) senior lawyers opted “inadequate”. See Table 3.10

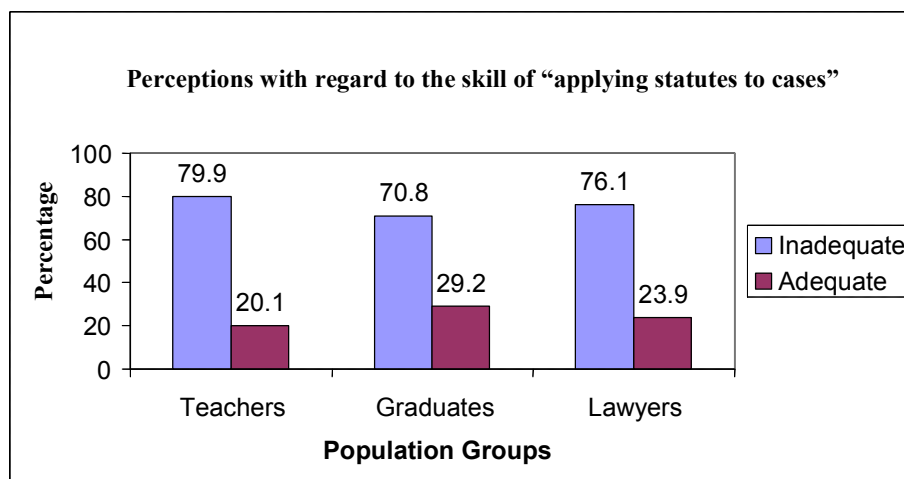
Table 3.10 Perceptions of individual and combined groups with regard to the skill of “applying statutes to cases”

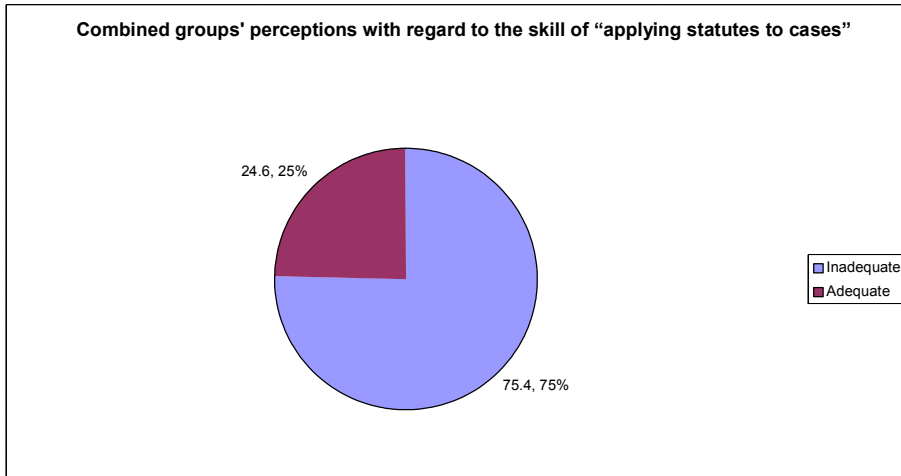
	Sample Group	Inadequate (Count %)	Adequate (Count %)	Total
1	Teachers of Law	79.9% (n=151)	20.1% (n=38)	100.0% (n=189)
2	Recent Graduates	70.8% (n=153)	29.2% (n=63)	100.0% (n=216)
3	Senior Lawyers	76.1% (n=156)	23.9% (n=49)	100.0% (n=205)
Total	Combined Groups	75.4% (n=460)	24.6% (n=150)	100.0% (n=610)

Table 3.11 Chi-Square Test

	Value	Df	Asymp. Sig.
Pearson Chi-Square	4.542	2	0.103

Graph 3.1



Graph 3.2

4.2 Qualitative Analysis

In this section, I will provide qualitative findings related to reading of statutes. Information, in this context, was gathered from all these population groups: teachers of law, recent law graduates and senior lawyers. Each of the three questionnaires had an open-ended question. The total number of returned questionnaires in the case of these three questionnaires was 624. Out of 624, the number of missing data was 97 as 521 participants provided their comments on this item. From the responses of 521 participants, 2 themes emerged which are outlined below:

- Theme 1: Complex Language Causes Difficulty in Comprehension
- Theme 2: Training Required

Theme 1: Complex Language Causes Difficulty in Comprehension

Out of 521 respondents in total, 325 fall under this category. These include 110 graduates, 117 teachers and 98 senior lawyers.

The respondents who fall in this category perceive that statutes have complex language. For comprehensibility, a certain level of linguistic adequacy is required on the part of the reader. Generally speaking, neither an average law student nor an average recent law graduate reveals the required level of linguistic adequacy for appropriate understanding of statutes. In case they understand the meaning correctly, they do not have the required skill to apply the statutes to the issues in question. The respondents believe that the language of statutes is complex because of its characteristic linguistic features: lengthy sentences, unfamiliar grammatical structure, rare use of punctuation and unfamiliar lexical items. These features make the statutes difficult for readers.

The respondents opined that statutes have very long sentences that cause difficulty for new readers in the field. Students who join the L.L.B program have no prior exposure of reading such long sentences. The syllabus of English at the B.A. level does not provide any opportunity to expose students to sentences of similar length as a law teacher stated:

As a teacher of law, I can say with confidence that law students are exposed to sentences of such a great length for the first time in their lives because the English course books up to B.A level deal with the language of literature or other disciplines and do not have a single course component that deal with lengthy sentences similar to the sentences of statutory law. When I ask the students to read the statutes, of course most statutes have lengthy sentences, my first year law students complain that they are unfamiliar with sentences with such a great length and therefore hardly understand them. The problem continues in the subsequent academic years as well

Another group of respondents considered statutes difficult because of complex grammatical structure of statutes. For them, statutes, generally, have multiple clauses. Most statutes begin with conditional clauses, and the main verb of a sentence is far away from its subject. Students, who are not exposed to such a complex grammatical structure earlier in their academic carriers, face difficulty in comprehension. In fact, this specific grammatical structure is hardly seen in General English (GE). One recent graduate perceived the situation in the following manner:

... when I was a law student, I felt difficulty in understanding the grammar of statutes. When I was unable to understand the grammar of a statute than how would I understand the real meanings. Statutes have many conditions like "if", "in case" etc. I had to read such like sentences many times and even then remained in confusion. Still such like problem is faced by me in my professional life. Frankly speaking statues have the most difficult grammar.

Teachers of law and senior lawyers also perceived that grammatical structure of statutes is the main hindrance in reading comprehension. This leaves law students and recent law graduates in confusion. A senior lawyer believed:

Statutes are written with certain conventions. One of the conventions is the conventional grammar of statutes. This conventional grammar contains many clauses with conditions. All this is the conventional requirement as well

as practical requirement of the field. This is how language of law is. And, this is the reason of difficulty for new readers. It takes time to get used to this.

Similarly, the following analysis of a teacher of law is worth quoting:

I have been teaching law for more than three decades and what I have observed is that students feel difficulty in understanding typical grammar of statutes. Neither in F.A. and B.A., nor in school has a student had familiarity with grammatical structures where one is so much confused in finding links between parts of speech within a sentence. Although I am not a language teacher, I ask my students to find out links between subjects and verbs for better understanding. Normally, subjects are far away from verbs in statutes. Such features create difficulty.

Many respondents were of the opinion that rare use of punctuation is also one of the reasons of difficulty in understanding statutes. Statutes are written in such a manner that legal draftsmen try their level best to avoid punctuation. The respondents believed that legal draftsmen avoid the use of punctuation purposefully because punctuations can become debatable issues. For example, the use of a comma in a sentence can change the meanings of a sentence. In such a situation, lawyers can exploit the situation. Although legal draftsmen avoid the use of punctuation, readers perceive that the rare use of punctuation, in fact, makes the message difficult to understand. One senior lawyer stated:

When we read something written in English; whether in newspapers or in other books, we see that we as readers are helped by the use of punctuation. The use of punctuation makes the message clearer. On the other hand, statutes are written with a very rare use of punctuation. The result of this is that readers feel that it is very difficult to understand the real meanings of statutes that are written in long sentences without the use of punctuation.

A significant number of respondents believed that the language of statutes is difficult because statutes have lexical items that are typically used in legal language and are hardly seen in General English (GE). Moreover, the respondents were of the opinion that some of the lexical items have specific meanings in legal settings, i.e. they have different meanings in GE. Such things, for respondents, create difficulty in understanding statutes.

A recent graduate stated:

Statutes are difficult because words used in statutes are not commonly used in our day to day lives, and interesting thing is that many words are understood with special meanings. Our memory is not good enough and therefore such confusions causes problems of understandings.

Another group of respondents commented on students' ability to apply statutes on issues in question. It was a common observation that understanding the meaning of statutes is not enough. Adequacy in understanding depends upon the ability to apply statutes on issues in questions. Normally, students of law and recent law graduates have inadequacy in the ability to apply statutes to issues in question. This, for them, is due to two reasons: complex structure of statutes and debatable issues. One senior lawyer stated:

Lawyers who work under my supervision feel that statutes are difficult and complex to deal with. The real situation is that some new lawyers are good at understanding the meaning of statutes; however they cannot judge whether a statute can be applied to a particular case.

A recent graduate said:

I can understand the meaning of statutes, but am confused for application of it to the case I prepare and argue in the court. This is the actual complexity

Theme 2: Training Required

Out of 521 respondents in total, 196 fall under this category. These include 90 graduates, 55 teachers and 51 senior lawyers.

Respondents from all the three population groups under discussion believed that some sort of training is required to improve the understanding of statutes. The complex nature of statutes needs specific courses so that students as well as recent graduates, who are at the start of their career in the practice of law, can go through such courses to attain a certain level of adequacy in understanding the meaning of statutes and to develop the skill to apply statutes to issues in question. In every developed country, such courses are included in the curriculum of legal educational institutions. To improve the standard of legal education in Pakistan, universities and other related bodies must take measures to develop such courses. A senior lawyer opined:

I have taught law as a member of a visiting faculty of a law college. Everybody in the profession knows that it is hard

to understand statutes since no student has ever dealt with this type of English before coming to a law college, even than no teacher of law, no principal at a law college, no other person takes any initiative to do something to improve the understanding of statutes. We, as a nation, are indifferent to the real issues and that is why no law school has any course to give students practice in understanding statutes.

Another group of respondents perceived that although Pakistan is a common law country, statutory law has its significance. For them, statutes are one of the basic things for every law student and lawyer. Reading bare acts is a must in this profession. How can a person move forward if he/she is not able to read properly the most basic thing, i.e. bare acts (statutes). Even the countries like the U.S.A. and the U.K., where students' native language is English, students go through special courses to understand the language of statutes. Pakistan does not have such courses in law colleges. A teacher of law stated:

When I was in the U.S.A. for my L.L.M., I observed that the native speakers of English, i.e. the American students were taught special courses in their law schools to make them understand the language of statutes with which they were not familiar in their earlier academic carriers. The situation is similar in the U.K. and other developed countries as well. How can we assume that our students, whose native language is not English, will be able to understand the complex language of statutes on their own? They need to go through courses so that they could have practice in understanding statutes and applying them.

Some of the respondents believed that there should be a system of continuing legal education as well, where the new entrants in the field of law would get training in the complex structure of statutes and their application for the issues in question. For such respondents, Pakistan Bar Council and other bodies must take steps to introduce such courses. A recent graduate commented in the following manner:

It's pity that our bar councils are concerned with problems faced by new lawyers. Statutory law is written in a special way and this special way make it complex and difficult for a lawyer who is new in the practice. Bar councils must arrange some courses to give us practice...

A significant number of participants suggested some content areas to be focused in such courses. It was observed that respondents viewed the language of statutes as the most difficult form of English due to complexity of linguistic structure of statutes.

Such respondents suggested that typical clauses, characteristic conventions of writing and technical vocabulary should be included in the contents of such courses. A law teacher stated:

In my view, courses on the language of statutes must focus on typical clause structures used by legal draftsmen and learners must be given opportunities to do practice at great length.

Another teacher said:

Practice, practice and practice is the key to understand the language of statutes. Courses should be designed in such a manner that students practice writing statutes on their own. This will improve their reading comprehension as well. This is how they will improve their vocabulary used in statutes and this is how they will be familiarized with the existing conventions in the language of statutes. Courses should focus on these areas.

Another group of respondents believed that the real issue is the ability to apply statutes on issues in question. For them, courses in the area of language of statutory law must focus on exercises where problems are given and students are to pick the relevant statute from a number of available statutes of similar content. Respondents believed that this would be a very useful way of preparing students for real life tasks of practical nature in the profession. A teacher of law stated:

Students must have the ability to apply the statutes on issues in question. Practice is needed for that. This is possible through courses where students are to solve problems. Where they are to make decisions and pick up the appropriate statute from a number of available statutes. Students, after going through courses of such contents, will be able to handle difficult situations in their profession.

Conclusion

In this paper, I have reported the findings related to reading of statutes, in academic and professional legal settings. Perceptions of the three population groups have been reported: teachers, recent graduates and senior lawyers. According to the analysis reported above, it is evident that the level of adequacy for reading of statutes is not up to the mark. 81.1% of the respondents perceive that learners have inadequate ability in understanding the complex structure of statutes. With regard to applying statutes to cases, 74.4% of the participants feel that learners have inadequate skill. Findings of the qualitative analysis revealed that the language of statutes, as perceived by the

respondents, is complex, and a course that provides training will help in this regard. This shows that quantitative findings correlate with the qualitative findings. The present study is significant as it reveals that a vast majority of law students and junior lawyers have inadequate competence in understanding statutes, and subsequently applying them to cases. As genre studies play an important role in ESP, the present research provides insights to course designers in the field of English for Academic Legal Purposes (EALP) and English for Occupational Legal Purposes (EOLP). Further, the findings are useful for those interested in the area of materials development with reference to Legal English courses.

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