

A Comparative Study Of The Structure Of The Nominal Group/Noun Phrase In Professional And Popularized Legal Texts.

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Abstract:

This study analyses the structure of noun phrase/nominal group in the professional and popularized legal texts. Qualitative approach was used as method of analysis. The result of the analysis revealed that there is no significant variation in the structure of the noun phrases/nominal groups in the two categories of legal texts. The head nouns in both categories of texts are pre-modified by determiners -an article or adjective. Post-modifies in both categories of legal texts are however, complex. The post-head modifying elements in the professional texts are mostly introduced by relative pronouns, while those found in the popularized texts are mostly introduced by prepositions.

Key words: Structure, Group, phrase, modifiers, and head

Introduction:

The term structure refers to the way elements or parts of something are ordered or arranged to form a whole, or how parts of something are arranged into pattern or system in which each part is linked or connected together. Since the word forming a sentence is not arbitrarily put. Utterances or sentences in every natural human language have grammatical constituents which are combined together to convey the speaker's /writer's thought or message. The constituents are given different nomenclatures which sometimes mean the same. Traditional grammarians for instance recognize the sentence as the largest unit, followed by the clause, the phrase, the word and the morpheme as the smallest. In systemic grammar, these elements are described based on scale of ranks which include clause, phrase/group, word and morpheme. Halliday and Matthiessen (2004) refer to the clause as the central processing unit in the lexicogrammar-in the specific sense that it is in the clause that meanings of different kinds are mapped into an integrated grammatical structure. The group as described by Halliday and

Matthiessen in some respect is equivalent to a word complex-that is, a combination of words built up of the basis of a particular logical relation. Distinguishing between a phrase and a group, Halliday and Matthiessen opines that a phrase is different from a group in that, whereas a group is an expansion of a word, a phrase is a contraction of a word. Starting from the opposite ends, the two achieve roughly the same status on the rank scale, as units that lie somewhere between the rank of a clause and that of a word. It is on this premise that this paper retains the two concepts "nominal group/nominal phrase. This is because the focus is on the structuring of the head nouns which are always the central element.

Nominal Group/Noun Phrase

A noun group is a linguistic constituent that functions as subject, object, subject complement, or complement of a preposition. It is a group of words that functions in place of a noun. The noun group has a noun as the head. The elements occurring as nominal group labelled classifiers are clause, adjective, adverbial, participle, prepositional phrase and noun. Downing and

Locke (2008) refer to nominal groups semantically to those aspects of our experience that we perceive as entities. The term 'entity' refers here not only to concrete entities such as persons, objects, places, institutions and other 'collectives', but also to the names of actions (*swimming, laughter*), abstractions (*thought, experience*), qualities (*beauty, speed*), emotions (*anger, excitement*) and phenomena (*thunder, success*), among others.

The phrase as related concept is defined by Omorodion (2009) as a group of words which functions as a unit, or group of words which forms a syntactic constituent of a sentence and it contains no finite verb with the exception of the verb phrase itself. In grammar, the technical term *phrase* is used even if there is only one word (Greenbaum and Nelson(2002, and Delahunty and Garvey 2014). The foregoing introduction connotes that there is no clear boundary between semantic interpretation of a noun phrase and nominal group.

Structure of Nominal Group/Noun Phrase

In any type of phrase or group, the head serves as the nerve centre since all other elements function to characterize it and locate it in a linguistic or situational context. According to Li(2015),the *head* is the essential element in the English nominal group. To support his claim, Li refers to Sinclair (1991) who holds the view that "the identification of headword is the first step in describing a nominal group" and "it is reasonable to expect the headword of a nominal group to be the principal reference point to the physical world. A noun phrase is one basic component of syntactic structure. It is a word or group of words in a sentence that behaves in the same way as a noun, that is a subject, an object, a complement, or as the object of a preposition (Oxford Advanced Learner's Dictionary). In other words, a group of words which does the work of a noun (Murthy

(2007). In the word of Lamidi (2000), The NP is a group of words with a noun as the keyword. Sometime, a pronoun or a noun stands as an NP. Thorne (1997) opines that a noun phrase begins with a determiner and normally has a noun as its most important word. It can function as subject, object or complement in a sentence. Elaborating the definition, Thorne points out that the head word or main word of noun phrase is usually a noun, but it can be a pronoun. The constituents of noun phrase can be made up of either a single noun or a noun with one or more pre-modifiers and post-modifiers or qualifiers.

Downing and Locke (2008) identify four primary elements or structural function of a nominal group. They include the **head**, which is the central element, **the determiner** and **the pre-modifier** which function in the pre-head Position and **the post-modifier** which functions in post-head position. Of all these elements, the pre- and post-modifiers can usually be omitted, while the head together with the determiner, when present, may realize the nominal group. Li (2015) collapses the above into two- the premodification and postmodification constituents. These are elements that are put before and after the head to trace it in a linguistic or situational context.

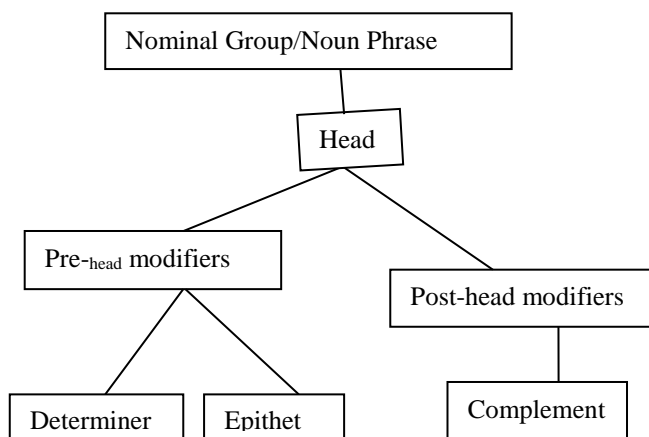
On the analysis of noun phrases, Daniel (2014) explains that like all phrases, the constituents of the English noun phrase can be analyzed into both functional constituents and formal constituents. From a functional point of view, the noun phrase has four major components, occurring in a fixed order

- (i) The determinative, that constituents which determines the reference of the noun phrase in its linguistic or situational context;
- (ii) Pre-modification, which comprise all the modifying or describing constituents before the head, other than the determiner;

(iii)(iii) the head, around which the other constituents cluster;

(iv)(iv) and post-modification, those which comprise all the modifying constituents placed after the head.

The diagram below summarizes the structures of a nominal group/noun phrase as focused in this paper.



The determiners encompass the articles, demonstratives, Possessives, Wh-words, distributives and numeratives. The epithets consist of adjectives, noun phrases, Participle, adverb, prepositional phrase and noun. The post head elements usually function as complements. They include noun phrase, adjective phrase, prepositional, adverbial phrase and clauses.

The above structural taxonomy serves as search light of elements clustering the head nouns. In the analyses, the head is made bold while the pre-modifying and post modifying elements are underlined.

Method of Investigation

The Qualitative approached was used to investigate the prevalent structures of the noun Phrases/nominal group. The texts in the corpus were studied in order to identify the head nouns and the elements occurring with them. The semantic implication of the elements occurring

with the head is as well highlighted. This entails that the study is purely descriptive and discursive. Hence, the elements constituting noun phrase/nominal group in the selected were indentified and discussed. Yule (2006) suggests that descriptive and discursive approach allows scholars to describe language as used in a given context as against how they are supposed to be used.

Analysis of the structure of noun phrases/nominal group in Professional Legal Texts

The analysis of the structure of the noun phrases/nominal groups in professional legal texts revealed several incidences of both pre-head and post-head modifiers. However, as pointed out by Crystal and Davy (1987), there is much preference for post-modification in the nominal group. As the results of many researches show, legal language is highly nominal because many of the features in any given stretch operate within the nominal group structures. Pre-modifiers also occur before the noun head but researches have shown that they are not as complex as the post modifying elements.

The professional texts subjected to analysis showed that pre-modifiers occur with the noun heads. The pre-modifiers mostly consist of determiners and adjectives that serve as attributes of the noun head. According to Zhang (1995) in Li(2015),the pre-modifiers and post modifiers are sometimes called Pre-attributives and post-attributives. The elements occurring in these positions give additional information about the noun head in order to locate it in its linguistic or situational context.

The analysis of the professional legal texts also showed complex post-modifying elements which serves as attributes of the noun head. In legal context, they are used in order to achieve all inclusiveness so as to avoid ambiguity in interpretation. To achieve this, related or similar legal issues are embedded in a clause through the

use of coordinating conjunctions *and* and *or*. The excerpt below exhibits these claims.

1. (a) A pregnant woman who with intent to procure her own miscarriage, unlawfully administers to herself any poison or noxious thing or unlawfully uses any instrument or other means, and (b) any person who with the intent to procure the miscarriage of any woman, whether she is pregnant or not, unlawfully administers to her or causes to be taken by her any poison or noxious thing, or unlawfully uses any instrument or other means, is guilty of abortion. (Text 1, example 1)

The clauses above have two lengthy nominal group functioning as subject with several noun phrases coordinated with *and* or *or*. They exhibit simple pre head modifications but with complex post head modifications due to excessive coordination within the relative clauses introduced by the relative pronoun 'who'. The head noun in clause (a) is pre-modified by an article and an adjective. It is however, post modified by a relative clause with several embedded noun phrases as a result of coordination with the conjunction **or**. The noun *person* in clause (b) is pre-modified by a non-definite determiner *any* but just as in clause (a), post-modified by several embedded elements.

The excessive coordination aims at achieving all inclusive (all that amounts to certain felony are stated) and ambiguity in interpretation is avoided. Greenbaum and Nelson (2002) assert that one very common type of post-modifier is the **relative clause**. The relative clause is embedded in a noun phrase to provide further information

about the head of the phrase. Both the pre head and the post head modifiers characterize the noun head. In most cases referring NPs are either definite or non-definite articles which donates a particular entity or set of entities. They are sometimes followed by adjective (s) as in clause (a) above. Generally, articles and determines specify the reference of the noun phrase in either its linguistic or situational contexts.

The post head modifiers in the two clauses above function attributively. They provide description of the noun heads only but do not refer to a particular entity. This means that the description is generic (anyone or anything that fits the description). They are usually paraphrased as *whoever---*, *whatever---* or *any*. The text below is the second example.

2. Every person who:-

breaks and enters any dwelling house, or any building within the cartilage there of and occupied therewith, or any school house, shop, warehouse, counting house, office, store, garage, pavilion, factory or workshop, or any building belonging to Her majesty, or to any Government department, or to any municipal or other public authority and commits any felony there in, or Breaks out of such building having committed any felony therein; or with intent to commit any felony therein enters any dwelling house in the night; or ...is guilty of house breaking.(Text 2, Example 2).

The head noun in the pre-modifying structures in the above example is **person**. It is preceded by an indefinite determiner (*every*) which makes generic or indefinite reference in

situational context. Occurring after the head is a complex post modify elements introduced by the relative pronoun 'who'. Within the post modifying elements are several coordinated clauses with subheads referring to different buildings considered as a house under the felony of house breaking. It can be drawn from the above that the complex post modifying structures is as the result of attempt by legal draftsmen to list everything amounting to certain felony in order to avoid ambiguity and misinterpretation. In the above texts, attempt is made to define clearly a person to be considered guilty under the felony of house breaking. The above style of construction resulted to a lengthy subject made up of the principal head (initial head of the clause) and secondary heads (heads embedded by coordination).

The result of the analysis of noun phrase/nominal groups in the above texts showed prevalent complex post modifying elements than the pre modifying ones. This agrees with Crystal and Davy's (1987) submission that there is preference for post modification in the nominal group in legal documents. Through the complex post modifying elements, the legal draftsmen describe everything amounting to felony in a certain situational context. Thus, both the pre-modifying and the post-modifying elements together characterize the noun heads thereby making the nominal group length but with very short verbal group stating clearly the felony committed. From the texts discussed, 'is guilty of the felony of abortion' and is guilty of house breaking are the verbal groups serving as the concluding implications.

Analysis of the structure of noun phrases in the Popularized legal Texts

Analyses of the structure of noun phrase/nominal group in the popularized legal texts revealed that there are a lot of grammatical structures that pre-modify or-post modify the noun heads. These grammatical elements such as the articles, determiners, quantifiers and prepositional

phrases characterize the noun heads. It was observed that the pre and post head modifiers in the popularized legal texts are not as complex as those found in the professional legal texts. This is obviously because there is no excessive coordination as in the professional legal texts.

The following excerpts support the above claims:

(a)*The main **issue arising** from the facts of the above hypothetical case is the **relevance of motive in terminating a **contract** of employment.*** A contract of employmen wheather oral, governed by written conditions of service or backed by statut terminated by either the by either the employer or the employee.

(b)*To ascertain **the exact claim** of a **plaintiff**, one must recourse to the **writ of summons and the claims as endorsed in the statement of claim.**(c) *At the end of the **election**, the third **respondent** declared the first and second **respondents** the winners of the elections. The **appellants** who were dissatisfied_ with **the result** of the election, filed a **petition** at the Court of appeal, pursuant to section 239 of the 1999 constitution challenging the **result** of the election.**

From the three texts above, all the head nouns are in bold prints, while the pre-modifying and post modifying elements are underlined. The analysis showed that the post modifying elements are complex, while the pre-modifying elements are simple. The post modifying elements function to complement or specify the location of the

referent since they are mostly prepositional phrases. Examples are: --from the facts of the above hypothetical case,--of motive in terminating a contract of employment,--of claim etc.

The analysis of the text also showed that both the pre and post modifying elements functioning together to characterize the noun heads. They either describe or determine the reference of the noun head in linguistic or social context.

(a) *The **fact** of the case is that the **plaintiff/appellant** has filed a **suit** at the Abeokuta High Court in Ogun State while proceedings commenced, culminating in the appeal against the **defendant** from whom he sought a **declaration** of land for trespass and injunction restraining further acts of trespass on the disputed land, N200 damages for trespass on the disputed land.*

(b) *The **principles** of fair hearing is fundamental to all court **procedures** and **jurisdictions**, the absence of it violates proceedings however well conduct (text b, example 2) (c) A legal advice from the Ministry of Justice addressed to the Divisional Police Officer, Nigerian Police Force, Kakuri stated that the **offence** of causing death by dangerous driving proffered against the **complainant** to be withdrawn since the act for which he was arrested, having occurred accidentally, is excused by Section 48 of the Penal Code.*

The pre-head modifying elements in the above texts also perform the same function as those found in the preceding texts. Post head modifications as shown in the sampled texts consist of complex elements serving as attributes of the noun heads. They consist of prepositional phrases as in “the fact **of the case**, the principles **of fair hearing** A legal advice from the **Ministry of Justice** etc. It was observed that the Post-modifiers are made up of prepositional phrases which mostly function to give more information on the noun head that they follow. It was also observed that post modification by prepositional phrases in the sampled texts are predominant in the popularized legal texts. Generally, post head modifiers in the popular legal texts do not have much embedded elements as in the professional texts. This accounts for the simplicity, explicitness and straight forwardness of information in the popular texts. Since the structures of the post modifying elements are not complex, it implies that the lay audience can read and comprehend the popularized texts better than the professional counter parts.

The analysis of the popularized legal texts also revealed prevalence of Post modification by apposition nouns/phrases. They serve as qualifiers of the head noun thereby giving details about it.

(a) *Another **lawyer**, Barrister Innocent Umbinyuo, the principal partner of a flourishing law firm in Abuja, Osike Chambers, said that the **problem** with the legal professional is the large failure of the judiciary*

(b) *A **plaintiff** seeking declaration of title to land has the **primary duty or burden** to prove clearly and unequivocally the precise **area** to which his claim relates. But that burden will not arise where the*

identity of the land in dispute was never a question in issue.

(c) *On 17th July, 1996, a letter of complaint was received from Mr. Yau Bala, a driver employed by Dantata and Sawce Nig. Ltd*

The underlined structures in the above examples are post head modifiers. The post head qualifiers define the noun heads and thus make them more vivid and explicit. The phrase, “the principal partner of a flourishing law firm in Abuja, Osike Chambers” for example qualifies the noun head Barrister Innocent Umbingue. These elements serve as attributes of the noun heads. Similarly, the participial phrase “seeking a declaration of title to land” qualifies the subject of the sentence. In the same vein, the noun phrases “a driver employed by Dantata and Sauce” qualifies the head noun Mr. Yau Bala. The appositions tend to define the noun heads vividly. In legal writing, the use of apposition nouns are intended to achieve precision in making reference and thus ambiguity is avoided.

Discussion

The analysis of the noun phrases in the two categories of legal texts generally showed that the noun phrases/nominal groups consist of various elements occurring before and after the noun heads. The pre-modifying elements found in both categories of texts are simple. Modifying elements found in the pre-modifying positions include determiners, articles and adjectives. These elements occurring before the heads perform referential and descriptive functions. The articles determine the referent of the noun heads in their linguistic or situational contexts, while the adjectives describe the noun heads. The complex post modifying elements function to describe and complement the noun heads. Most of them as depicted by the result of the analysis are introduced by relative pronouns or prepositions.

The result of the analysis exhibited more complex post-modifying elements in the professional legal texts than in the popularized legal texts. As pointed out in the analysis; the complexity is as the result of excessive coordination intended to achieve all inclusiveness and unambiguous constructions.

The analysis revealed a lengthy nominal group/noun phrase serving as the subject of the sentence/clause. The premodifying elements function as the given information, while the post-modifying elements function as the new information. These lengthy nominal groups are typical features of both categories of legal texts. It was observed that most of the pre head modifiers in the popular texts consist of an article and an adjective, while the post head elements are mostly prepositional phrases serving as the complements of the head nouns.

The structure of the nominal group/noun phrases showed no significant variation. Both have pre and post head elements giving more information about the head noun. The elements preceding the head noun function as determinatives (articles and determiners) or descriptive (adjectives). The post modifying elements function as the complements of the noun head by supplying more information about it. The noun phrases in the categories of texts function subject object or complement in a sentence.

Conclusion

It can be concluded from the texts subjected to analysis that there is no significant variations displayed in the structure of the nominal groups/noun phrases in the two categories of legal texts. Both categories of texts showed prevalence of pre head and post head modifiers. It has been observed however that most of the pre head modifiers in the two categories of texts have articles performing referential functions. The adjectives following some of them perform descriptive roles. Both categories of texts showed

complex modifications which complement the meaning of the head noun.

From the analysis, it can as well be concluded that both categories of texts have complex post head modifications which function to elaborate the meaning of the noun head. The post modifying elements in the two categories of texts however are complex. One of the obvious implications of the lengthy nominal groups/noun phrases as the result of pre modification and post modification is the difficulty of comprehending the text by a lay audience. Several independent information or ideas are lumped in one clause through excessive coordination. Although it communicates to the legal practitioners, the lay audiences are mystified.

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