

**JALINGO JOURNAL OF LINGUISTICS AND
LITERARY STUDIES
(JAJOLLS)**



Volume 8 No. 1, 2024.
ISSN: 2488-9067

**A Publication of the
Department of Languages and Linguistics
Faculty of Arts
Taraba State University, Jalingo**

JALINGO JOURNAL OF LINGUISTICS AND LITERARY STUDIES (JAJOLLS)
Volume 8 No. 1, 2024.

ISSN: 2488-9067

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Printed in Nigeria by:
MacroNet Consults & Multi-Links Limited
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EDITORIAL

Every academic environment is sustained by learning through rigorous methods. Research is one and the focal point for assessment. A serious member of the academic community is measured by the quality and number of academic articles.

In spite of the desire to acquire many research reports, this edition has insisted on standards and quality. It is important to note that many articles have been rejected for not meeting our requirements.

The first and most obvious task of our journal is to provide a level playing field for researchers all over the globe in language-related disciplines, which is the vehicle for conveying knowledge. In this edition, thirty-one (31) articles have undergone academic scrutiny from our blind reviewers.

To our esteemed contributors and readers, thought-provoking articles are expected and we are ready to publish them in the next volume.

PROFESSOR ALI AMADI ALKALI,

Editor-in-Chief,

JAJOLLS: Jalingo Journal of Linguistics and Literary Studies,

Department of Languages and Linguistics,

Taraba State University, Jalingo.

FOR READERS

This volume of JAJOLLS (Jalingo Journal of Linguistics and Literary Studies, Volume 8, Issue 1) adheres to the guidelines of the current edition of the American Psychological Association and Modern Language Association (APA & MLA) Publication Manual for editing and formatting the featured papers. Renowned for its clear and user-friendly citation system, the APA/MLA manual also provides valuable guidance on selecting appropriate headings, tables, figures, language, tone, and reference styles, resulting in compelling, concise, and refined scholarly presentations. Furthermore, it serves as a comprehensive resource for the Editorial Board, navigating the entire scholarly writing process, from authorship ethics to research reporting and publication best practices.

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All correspondences on editorial matters should be sent to:

Sumayyat Ibrahim Gambo (Ph.D.)

Department of Languages & Linguistics

Taraba State University

P.M.B. 1167, Jalingo, Taraba State

Email: jajolls022@gmail.com

Phone: +234803132245, +2348182312149 & +2349045724091

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¹Baba Amos Itari & ²Isaiah Aluya

^{1&2}Department of English and Literary Studies , Bingham University, Karu Nasarawa State.



Language and Law: The Role of English Language in Nigerian Legal System

Abstract

This paper explores the role of language in the Nigerian legal system. Nigeria, characterized by its linguistic diversity with over 500 languages, operates a legal system primarily in English, a legacy of the British colonial rule. It adopts qualitative descriptive research design and Systemic Functional linguistics as its theoretical framework. It delves into how language facilitates the drafting of precise and unambiguous legislative texts, essential for ensuring clear legal interpretation and uniform enforcement by the judiciary and law enforcement agencies. It also emphasizes the need for legal documents and proceedings to be translated into major indigenous languages to enhance understanding and accessibility. By examining the interplay between language and law, the discussion foregrounds the importance of linguistic clarity and accessibility in ensuring justice and legal literacy in a multilingual society like Nigeria.

Keywords: Language, Law, Indigenous language and multilingual society

Received: 13/07/2024 **Accepted:** 07/08/2024 **GSM:** +2348033194590

Corresponding Author: Baba, A. I. **Email:** amos.baba.itari@binghamuni.edu.ng

Article Citation: Baba, A. I. and Isaiah, A. (2024). Language and Law: The Role of English Language in Nigerian Legal System. *Jalingo Journal of Languages and Literary Studies (JAJOLLS)*. 8 (1) pp. 142-151.

Publishers: Department of Languages and Linguistics, Taraba State University, Jalingo. **ISSN:** 2488-9067

1.1 Introduction

Language is a fundamental component of the legal system, serving as the medium through which laws are enacted, enforced and interpreted. In Nigeria, a country characterized by its rich linguistic diversity (Aluya, 2016), the prominence of English in legal processes presents both opportunities and challenges. The Nigerian legal system, heavily influenced by British colonial heritage, relies on English for legislative drafting, judicial proceedings and legal education. This reliance on a single language in a multilingual society raises critical questions about accessibility, comprehension and the equitable administration of justice. The significance of language in the legal context cannot be overstated. Effective communication of laws ensures that citizens understand their rights and obligations, while precise legal drafting prevents ambiguities that could lead to misinterpretation (Aluya, 2023). Moreover, the enforcement and interpretation of laws demand a clear and consistent use of language to uphold justice. This discussion focuses on the role of language in Nigerian legal system.

2.1 Theoretical framework

The theoretical framework of this paper is anchored in Systemic Functional Linguistics (SFL) though not to analyze any data. This theory of language developed by Michael Halliday in the 1960s and continually refined by linguists such as Halliday and Matthiessen. Halliday's updated framework, in 2014, is particularly useful in understanding how the codification of English in legal texts creates both clarity and barriers, depending on the reader's familiarity

with the structure and function of legal language. SFL views language as a social semiotic system, where language use is closely tied to the social context in which it operates. This framework is particularly relevant for the study of language in legal contexts because it emphasizes the functional nature of language to analyze how language choices are shaped by, and shape, the social and institutional roles that participants assume.

In SFL, language is examined through three key metafunctions:

i. **Ideational Metafunction:** This refers to how language is used to convey experiences, facts and knowledge. In legal contexts, it relates to how legal texts represent legal processes, obligations, and rights (Martin, 2021). For example, the complexity of legal English, with its heavy use of modality such as “shall,” “must,” “may” and nominalization, turning verbs into nouns, such as “interpretation” instead of “interpret”, makes it crucial to examine how these linguistic features construct legal realities (Dreyfus & Jones, 2021).

ii. **Interpersonal Metafunction:** This deals with how language mediates relationships between participants. In the courtroom, language choices help to establish authority and negotiate relationships of power between judges, lawyers, and litigants. Recent studies, such as those by Gibbons (2019) and Trosborg (2020), emphasize the importance of formal language in courtrooms and how it reinforces hierarchical structures. Legal English often employs formal, impersonal and authoritative tones, which can be intimidating and confusing to those unfamiliar with the language, particularly non-native speakers (Mulderig, 2022).

iii. **Textual Metafunction:** This aspect of SFL focuses on how language is structured to be coherent and cohesive within a given context. Legal English is highly structured, with long, complex sentences often packed with dense information. In the studies of Bhatia (2020) and Candlin and Sarangi (2021), show how the textual organization of legal documents, such as contracts and statutes, present challenges for non-specialist audiences, especially in multilingual settings like Nigeria, where English is not the first language for most of the population. Therefore, SFL to the Nigerian legal system, shows how these three metafunctions operate within legal English and how they affect non-native speakers' ability to access and understand legal texts and proceedings.

iv.

3.1 Methodology

As a conceptual paper, this paper does not rely on empirical data but instead explores theoretical perspectives on how language, specifically English, functions within the Nigerian legal context. The methodology focuses on synthesizing relevant literature and applying Systemic Functional Linguistics (SFL) as a framework for understanding the interaction between language and law. It adopts a qualitative descriptive research design to present how the dominance use of English in our legal system affects both practice and access to justice in a multilingual society, especially Nigeria.

4.1 Forensic linguistics

Forensic linguistics, a burgeoning field at the intersection of language and law, involves the application of linguistic knowledge, methods and insights to legal contexts. This interdisciplinary science covers a broad spectrum of activities including authorship attribution, speaker identification and the analysis of linguistic evidence in legal proceedings. Its origins can be traced back to the early 20th century, but it gained significant recognition in the latter half of the century with advancements in linguistic theory and methodology. Forensic linguists work meticulously to ensure that their analyses are scientifically valid and legally admissible, playing a crucial role in both criminal and civil cases (Coulthard & Johnson, 2007).

One of its primary applications is in authorship attribution, where linguists are called upon to determine the authorship of disputed texts. This is achieved by analyzing linguistic features such as vocabulary, syntax and stylistic elements to match the text to a particular author

(Olsson, 2004). The methodology often involves both qualitative and quantitative analyses, utilizing linguistic corpora and computational tools to provide statistical evidence supporting the conclusions drawn (Grant, 2009). Speaker identification is another critical area within forensic linguistics. This involves analyzing voice recordings to identify or eliminate suspects based on their speech characteristics. Phonetic features such as pitch, intonation and accent are examined to create a speaker profile. In legal contexts, this can be crucial for verifying the identity of speakers in recorded conversations or emergency calls. For instance, the analysis of voice recordings has been pivotal in cases involving ransom demands or threats, where identifying the speaker can lead to critical breakthroughs in investigations (Rose, 2002). Despite its potential, the reliability of speaker identification remains a contentious issue, with ongoing debates about the variability of speech and the influence of environmental factors on recordings (Nolan, 1997).

Forensic linguistics also encompasses the analysis of written and spoken statements for consistency, coherence and signs of deception. Linguists examine how language is used in confessions, testimonies and interrogations to determine their authenticity and voluntariness. The way questions are framed and the responses provided can reveal much about the psychological state and truthfulness of the individuals involved. This aspect of forensic linguistics has significant implications for ensuring justice, as it can help in identifying coerced or false confessions, which are unfortunately not uncommon in legal systems worldwide (Shuy, 2006).

The study of forensic linguistics extends to trademark disputes and the interpretation of legal texts. Linguists are often called upon to analyze the similarity between trademarks to assess potential infringement. This involves examining phonetic, orthographic and semantic similarities to determine the likelihood of consumer confusion. The precise interpretation of legal language in contracts, statutes and regulations is another area where forensic linguists contribute their expertise. Ambiguities and inconsistencies in legal texts can lead to significant legal disputes and the clarity provided by linguistic analysis is invaluable in resolving these issues (Butters, 1997).

In the digital age, forensic linguistics has adapted to address challenges posed by online communication. Cybercrime, online harassment and threats often involve linguistic evidence that requires expert analysis. Forensic linguists analyze emails, social media posts and other digital communications to trace the origin of messages, identify perpetrators and understand the context of communication. This modern application of forensic linguistics underscores the evolving nature of the field and its increasing relevance in addressing contemporary legal challenges (McMenamin, 2002).

The contributions of forensic linguistics to the legal system are profound, providing scientific views that enhance the pursuit of justice. By meticulously analyzing language, forensic linguists help uncover the truth in complex legal scenarios, thereby supporting fair and accurate judicial processes. As the field continues to evolve, its integration with advancements in technology and linguistic research will undoubtedly expand its scope and impact, making forensic linguistics an indispensable tool in the modern legal landscape (Coulthard & Johnson, 2007).

4.2 Nexus between language and law

The relationship between language and law is fundamental, as language serves as the medium through which laws are created, interpreted and enforced. The precision and clarity of legal language are crucial in ensuring that laws are comprehensible and enforceable. Legal texts, including statutes, regulations, contracts and judicial opinions, rely heavily on linguistic principles to convey specific meanings. The study of this relationship encompasses various

disciplines such as legal theory, linguistics and semiotics, which provide roadmaps into how language shapes legal understanding and practice (Tiersma & Solan, 2012).

One of the primary areas where language intersects with law is in the drafting of legislation. Legislators must use language that is both precise and unambiguous to avoid misinterpretation. This involves a careful choice of words, definitions and syntactic structures. The language used in legal texts often differs from everyday language, characterized by its formality, technicality and sometimes archaic terms. Legal drafters aim to balance the need for specificity with the necessity of broad applicability, often resulting in complex and dense legal language. Misinterpretation of legal texts can lead to significant consequences, underscoring the importance of linguistic clarity in legislative drafting (Bhatia, 2004).

Interpretation of legal texts is another critical area where language plays a pivotal role. Judges and lawyers must interpret statutes, contracts and other legal documents to resolve disputes and make legal decisions. This process involves understanding the literal meaning of the words, the intent of the lawmakers and the broader legal context. Various interpretive methods, such as textualism, purposivism and originalism, rely on different linguistic principles to ascertain the meaning of legal texts. The challenges of interpretation highlight the inherent ambiguities and complexities of language, which can lead to divergent legal outcomes based on different readings of the same text (Solan, 1993).

Language also plays a crucial role in courtroom discourse. The language used in trials, including opening statements, witness examinations and closing arguments is designed to persuade judges and juries. Lawyers carefully craft their language to present facts and arguments in a compelling manner. The examination and cross-examination of witnesses involve strategic use of language to elicit favourable responses and undermine the credibility of opposing witnesses. Courtroom language must adhere to procedural rules and formalities, adding another layer of complexity to legal communication (Heffer, 2005). According to Akinwale (2017), in a high-profile trial, the defense attorney's cross-examination of a key witness demonstrated the strategic use of language in the courtroom. The lawyer carefully framed questions to highlight inconsistencies in the witness's previous statements, subtly suggesting doubt without directly accusing the witness of lying. For instance, the attorney asked, "Is it possible that your recollection of the events might be influenced by recent media coverage?" This question not only planted a seed of doubt but also maintained a level of respect and adherence to courtroom decorum. Also, the attorney's choice of language was meticulously crafted to comply with procedural rules, avoiding leading questions while still guiding the witness toward responses that could undermine their credibility. This example illustrates the intricate balance lawyers must achieve in using language to persuade the court while navigating the formalities of legal proceedings.

In contracts, language is the tool through which parties outline their rights and obligations. Contractual language must be precise to prevent disputes over interpretation. Ambiguities in contract language can lead to litigation, as parties may have different understandings of their terms. The role of language in contract law emphasizes the importance of clarity and specificity in legal drafting. Legal professionals often rely on standard clauses and boilerplate language to minimize uncertainties, yet the unique nature of each contract necessitates careful linguistic attention (Adams, 2017).

Legal language also serves as a gatekeeper to justice, with implications for access to legal remedies. The complexity and formality of legal language can create barriers for individuals who are not legally trained. Plain language movements advocate for the simplification of legal language to make it more accessible to the general public. Efforts to reform legal language aim to balance the need for precision with the goal of accessibility, recognizing that clear communication is essential for ensuring that legal rights and responsibilities are understood by all (Asprey, 2010).

The study of the relationship between language and law reveals the profound impact of linguistic choices on the legal system. From the drafting and interpretation of legal texts to courtroom discourse and contractual agreements, language is integral to the functioning of the law. The complexities and ambiguities inherent in language, such as words with multiple interpretations, meanings shift, and word-dependence on context, among others present challenges for legal professionals. This has necessitated a deep understanding of linguistic principles to navigate the legal landscape effectively. As legal systems evolve, the interplay between language and law will continue to shape the administration of justice (Tiersma & Solan, 2012).

1.3 Role of language in enacting laws in Nigeria

Enacting laws in Nigeria, as in many countries, involves a complex interplay of legal, political and cultural factors, where language plays a pivotal role. Language serves not only as a means of communication, but also as a tool for drafting laws. In Nigeria, a country known for its linguistic diversity with over 500 languages, the role of language in the legislative process is multifaceted and crucial to ensuring effective governance and democratic principles (Chukwuemerie, 2019). The enactment of laws in Nigeria is conducted through legislative processes that involve drafting, debating and passing bills. English, being the official language, is used throughout these processes. This choice is significant because it necessitates a high level of proficiency in English among legislators, legal drafters and their aides. The precision and clarity required in legal drafting mean that lawmakers must have an excellent command of the language to avoid ambiguities that could lead to misinterpretations (Chukwuemerie, 2019). This linguistic requirement can pose challenges in a multilingual country like Nigeria, where many people may not have English as their first language.

Language in the context of law serves several fundamental purposes. Firstly, it is the medium through which laws are written and articulated. The drafting of legislation requires precise language to convey legal intent and meaning accurately. This precision is crucial to avoid ambiguity and ensure that laws can be interpreted uniformly by legal professionals and the judiciary. In the view of Murphy and Kly (2015), "Legal language must be clear and unambiguous to be effective" (67). In Nigeria, where English is the official language, legislative texts are primarily drafted in English, although translations into other major languages such as Hausa, Yoruba, and Igbo may also be provided to facilitate understanding and compliance among the populace (Lawrence, 2015).

Secondly, language determines the accessibility of laws to the general public. The clarity and simplicity of legal language significantly impact how well laws are understood and adhered to by citizens. According to Black's Law Dictionary (2014), "Clarity in legal language ensures that laws can be understood by those whom they govern" (34). In Nigeria, efforts have been made to simplify legal texts and provide translations into major indigenous languages to enhance public awareness and compliance (Smith, 2016). This accessibility is particularly important in a country where literacy rates vary widely across different regions and linguistic groups.

Moreover, language influences the interpretation and application of laws by the judiciary. The judiciary's role in interpreting laws hinges on understanding the precise meaning and intent of legislative texts. This process involves analyzing the language used in statutes, precedents, and legal arguments to arrive at decisions that uphold the rule of law. As observed by Adams (2017), "The judiciary relies on linguistic analysis to resolve ambiguities and ensure consistency in legal interpretation" (45). Legal interpretations may need to consider cultural nuances and customary practices alongside statutory law, language proficiency among judges and lawyers in both English and indigenous languages can be crucial (Brown, 2018).

Furthermore, language plays a vital role in the legislative process itself, where debates, discussions and negotiations shape the content and scope of proposed laws. In Nigeria's National Assembly, where lawmakers from diverse linguistic backgrounds converge, the ability to articulate legal concepts effectively in English or indigenous languages can influence the outcome of legislative debates. Johnson (2019) observed that "Language proficiency among legislators ensures robust deliberations and effective lawmaking" (102). This proficiency facilitates consensus-building and the crafting of laws that reflect the interests and concerns of various linguistic and cultural communities across Nigeria (White, 2017).

Language is a tool for legal education and professional training within Nigeria's legal system. Law schools and legal training institutions emphasize the mastery of legal terminology and concepts in both English and indigenous languages to prepare future lawyers and judges for their roles in the legal profession. Green (2016) corroborates that legal education in Nigeria emphasizes linguistic competence to navigate the complexities of the legal landscape. This linguistic competence enables legal professionals to communicate effectively with clients, colleagues and the judiciary, thereby enhancing the administration of justice and legal advocacy in diverse linguistic contexts (Lee, 2017).

1.4 Role of language in construing laws in Nigeria

The role of language in construing laws in Nigeria is fundamental to the interpretation and application of legal texts within the country's diverse linguistic and cultural landscape. Language serves as a critical tool in the judiciary's efforts to interpret statutes, precedents, and legal principles accurately. Language plays a crucial role in the construction of laws by ensuring clarity and precision in legal texts. The drafting of legislation requires meticulous attention to language to articulate legal provisions effectively. According to Murphy and Kly (2015), "Legal language must be clear and precise to avoid ambiguities and ensure consistent interpretation" (67). That is, the interpretation of laws often requires a deep understanding of language, which can be intricate and laden with technical jargon. And the judiciary, in this context, must utilize these complexities to deliver fair and just rulings (Akinwale, 2017). However, misinterpretations of laws can lead to wrongful judgments, which undermine the critical role of language in the judicial process. In Nigeria, where English is the official language of legislation, the drafting process focuses on using language that is accessible and understandable to legal professionals, lawmakers and the general public (Lawrence, 2015). Moreover, efforts to translate laws into major indigenous languages such as Hausa, Yoruba and Igbo aim to promote linguistic diversity and enhance legal comprehension among different linguistic communities (Smith, 2016). The dominance of English in legal proceedings can create a barrier to justice for these individuals. Hence, there is a need for legal documents and proceedings to be translated into major indigenous languages to enhance understanding and accessibility (Nwabueze, 2010). This can help bridge the gap between the legal system and the diverse linguistic communities in Nigeria, ensuring that all citizens can engage with the legal system effectively. Corroboratively, Okafor (2015) emphasizes that enhancing legal education to include multilingual legal practice can better prepare graduates to serve in a linguistically diverse society to ensure that future legal professionals are equipped to handle cases involving speakers of different languages and to advocate for clearer and more inclusive legal language.

Therefore, language proficiency among judges and legal practitioners is essential for interpreting laws in a manner that upholds justice and fairness. The judiciary relies on linguistic competence to analyze legal texts, interpret legislative intent and apply legal principles to specific cases. As simply put by Adams (2017), "Judicial interpretation hinges on the mastery of legal language to ensure accurate and consistent application of laws" (45). In Nigeria, where

customary laws and cultural practices often intersect with statutory regulations, linguistic proficiency enables judges to navigate complexities and resolve legal disputes impartially (Johnson, 2019). Training programmes for judges emphasize the importance of linguistic skills in both English and indigenous languages to promote effective judicial decision-making and uphold the rule of law (Green, 2016).

Furthermore, language influences the interpretation of laws by shaping legal arguments and reasoning in court proceedings. Legal practitioners rely on language to construct persuasive arguments based on statutory interpretation, case law and legal precedents. Lee (2017) argued that language is central to legal reasoning and argumentation, guiding lawyers in their efforts to persuade judges and advocate for their clients (91). Legal proceedings in Nigerian courts are primarily conducted in English, and the clarity and precision of legal language contribute to the effectiveness of advocacy and the resolution of legal disputes (White, 2017). Language also serves as a bridge between formal legal texts and the everyday realities of Nigerian society. Effective legal communication in accessible language formats promotes public awareness of rights and responsibilities, thereby fostering compliance and civic engagement. Green (2016), "Legal literacy initiatives aim to empower citizens with knowledge of legal rights and obligations through clear and understandable language" (78). And efforts to translate legal materials into indigenous languages aim to enhance access to justice and promote legal literacy among diverse linguistic communities (Adams, 2017).

The evolution of legal principles and doctrines through judicial precedent and legislative reforms has been influenced by language. And judicial decisions based on linguistic analysis contribute to the development of legal norms and interpretations that reflect societal values and changing circumstances. Brown (2018) observed that legal language evolves through judicial interpretation, adapting to new contexts and challenges in Nigerian society (76). Therefore, language proficiency among legal professionals facilitates the adaptation and application of legal principles to contemporary issues, ensuring the relevance and effectiveness of the legal system in addressing societal needs (Johnson, 2019).

4.5 Role of language in enforcing laws in Nigeria

Language plays a crucial role in the enforcement of laws in Nigeria. The country's legal system, a legacy of British colonial rule, operates primarily in English, which is the official language. This choice of language impacts the accessibility, comprehension and administration of justice, influencing how laws are created, implemented and understood by the populace (Aluya & Edem, 2023). The enforcement of laws by the officers, therefore, hinges heavily on the use of language, which must be clear and precise to ensure that these laws are enforced correctly and consistently. And if the legal language is not understood, it can lead to misapplications of the law, particularly among officers who may not be well-versed in legal terminology (Adegbite, 2009). This underscores the importance of linguistic clarity and the need for continuous training and education in legal language for law enforcement personnel.

The overdependence and/or dominance of English as a result of the British common law system, which was introduced during the colonial period, has placed it as the primary language used in the Nigerian legal system, including in the drafting of laws, court proceedings and legal documentation (Omaka, 2017). This could also result from linguistic complexity of Nigeria with over 500 recognized languages spoken across its various ethnic groups, creating challenges in accessing and understanding the law, especially for individuals with limited proficiency in English (Nwaubani, 2014). The language barriers can hinder effective communication between law enforcement, the judiciary and the general public, which can lead

to misunderstandings, wrongful arrests, and unjust court outcomes, though some state governments in Nigeria have made efforts to translate important laws and regulations into the major regional languages, such as Hausa, Igbo and Yoruba (Adegbite, 2018). This attempt is a call to action and timely. For example, the Lagos State government, in 2020, has launched initiatives to translate municipal laws and regulations into these languages to improve accessibility and compliance. However, Akande (2016) argued that the availability and consistency of these translations vary across different states and regions, and their impact on law enforcement and access to justice has been uneven. Ultimately, these language-related challenges can undermine the principles of equal access to justice and the rule of law, which are essential for a well-functioning legal system. Overcoming this is a possibility with expansion in the use of regional languages in the legal system, through broader translation efforts and the incorporation of multilingual practices in courts and law enforcement can help in addressing the linguistic barriers and improving access to justice. Ogunmodede and Popoola (2020) added that a collaborative approach involving policymakers, legal professionals and civil society organizations in a requirement in achieving such. Therefore, enforcement of the law is heavily influenced by language, which its plain use demystifies the law. And simplifying the legal language and providing translations in major local languages can empower citizens to understand their rights and obligations under the law and, by extension, promote legal literacy to build public trust in the legal system (Eze, 2013).

5.1 Conclusion

In conclusion, language in Nigeria's legal system acts as a cornerstone that shapes legislative practices, judicial interpretations, legal education and public engagement with the law. While English serves as the primary language of legal discourse, its dominance presents challenges in a linguistically diverse society. Efforts to enhance legal language education, promote clarity in legal texts, and facilitate translations into indigenous languages are crucial steps towards ensuring a more inclusive and accessible legal system. By addressing these linguistic barriers, Nigeria can strengthen legal literacy, promote equitable access to justice, and foster greater trust in the rule of law among its diverse population.

References

- Adams, J. (2017). Language Skills in Law Enforcement. *Legal Studies Review*, 23(3), 45.
- Adegbite, W. (2009). The Domain of Language Use in Nigeria: A Social-Linguistic Perspective. *Journal of Social Sciences*, 19(1), 31-39.
- Adegbite, W. (2018). Multilingualism and the Law in Nigeria. *International Journal of Bilingual Education and Bilingualism*, 21(3), 346-360.
- Akande, A. T. (2016). Language Policy and Planning in Nigeria: Issues and perspectives. *Journal of the Nigeria English Studies Association*, 19(2), 1-16.
- Akinwale, A. (2017). Language and the Administration of Justice in Nigeria. *African Journal of Criminology and Justice Studies*, 10(2), 51-65.
- Aluya, I. (2016). 'Still in the Woods': A Stylistic Reading of Osundare's Essays. *Ihafa: A Journal of African Studies*. 8(2): 187-208.
- Aluya, I. (2023). Language, Literary Studies and Communication as Stimulants of Peace and Security in Nigeria. *English Language, Literature & Culture*, 8(3), 60-64.
- Aluya, I., & Edem, S. (2023). Language Techniques and Literary Devices for National Messaging in President Buhari's Democracy Day Speech. *Baltic Journal of English Language, Literature and Culture*, 13, 4-17.
- Asprey, M. M. (2010). *Plain Language for Lawyers*. Federation Press.
- Bhatia, V. K. (2004). *Worlds of Written Discourse: A Genre-Based View*. Bloomsbury Publishing.
- Bhatia, V. K. (2020). *Analyzing genre: Language use in professional settings*. Routledge.
- Black, Henry Campbell. *Black's Law Dictionary*. 10th (ed). (2014). Thomson Reuters.
- Brown, M. (2018). Cultural Nuances in Legal Interpretation. *Journal of Comparative Law*, 30(2), 76-86.
- Butters, R. R. (1997). Linguistic aspects of trademark disputes. *The International Journal of Speech, Language and the Law*, 4(1), 45-66.
- Candlin, C. N. & Sarangi, S. (2021). *Researching discourse in institutional settings: Genres, encounters and interactions*. Palgrave Macmillan.
- Chukwuemerie, A. (2019). "The Role of Language in the Legislative Process in Nigeria." *Nigerian Law Review* 25.1, 44-59.
- Coulthard, M. & Johnson, A. (2007). *An Introduction to forensic linguistics: Language in evidence*. Routledge.
- Dreyfus, S. & Jones, P. (2021). *Systemic functional linguistics: Exploring choice*. Bloomsbury Publishing.
- Eze, C. (2013). Enhancing Legal Literacy in Nigeria through Plain Language. *Nigerian Journal of Social Studies*, 19(2), 100-114.
- Gibbons, J. (2019). *Forensic linguistics: An introduction to language in the justice system*. Willey-Blackwell.
- Grant, T. (2009). Quantifying evidence in forensic authorship analysis. In J. Walker (Ed) *Language and Law: A Resource Book for Students*(pp. 225-239). Routledge.
- Green, A. (2016). Legal Education and Linguistic Competence. *Nigerian Law Journal*, 19(1), 78.
- Halliday, M. A. K. & Matthiessen, C. (2014). *Halliday's introduction to functional grammar* (4th ed.). Routledge.
- Heffer, C. (2005). *The language of jury trial: A corpus-aided analysis of legal-lay discourse*. Palgrave Macmillan.
- Johnson, L. (2019) "Language Proficiency in the Legislative Process." *Nigerian Parliamentary Review*, 15(4), 102.

- Lagos State Government. (2020). *Lagos State Multilingual Legal Awareness Project*. Retrieved from <https://lagosstate.gov.ng/blog/2020/06/15/lagos-state-multilingual-legal-awareness-project/>
- Lawrence, M. (2015). "Multilingual Legislation in Nigeria." *African Journal of Legal Studies*, 12 (1), 112.
- Lee, J. (2017). Language and Judicial Decisions. *Court Review*, 27(2), 91.
- Martin, J. R. (2021). *Language, register and genre: Functional perspectives on language*. Routledge.
- McMenamin, G. R. (2002). *Forensic linguistics: Advances in forensic stylistics*. CRC Press.
- Mulderrig, J. (2022). *Language, law and power: A systemic-functional perspectives on legal discourse*. Cambridge University Press.
- Murphy, D. (2015). *Legal language and its implications*. Oxford University Press.
- Nolan, F. (1997). Speaker identification evidence: Its forms, limitations and roles. *The Phonetician*, 74(1), 59-72.
- Nwabueze, E. (2010). Indigenous Languages and the Nigerian Legal System *African Journal of Legal Studies* 4, (1),70-83. Nwaubani, O. O. (2014). Language and the Administration of Justice in Nigeria. *International Journal of Humanities and Social Science*, 4(12), 278-286.
- Ogunmodede, T. A., & Popoola, S. I. (2020). Language Policies and the Challenges of Multilingualism in Nigeria. *Legon Journal of the Humanities*, 31(1), 91-113.
- Okafor, N. (2015). Multilingualism in Legal Education in Nigeria. *International Journal of Legal Information*, 43(1), 85-98.
- Olsson, J. (2004). *Forensic linguistics: An introduction to language, crime and the law*. Continuum.
- Omaka, A. O. (2017). Language and the Nigerian Legal System. *International Journal of Humanities and Social Science*, 7(8), 178-184.
- Rose, P. (2002). *Forensic speaker identification*. CRC Press.
- Shuy, R. W. (2006). *Linguistics in the courtroom: A practical guide*. Oxford University Press.
- Smith, R. (2016). Translation of Legal Texts in Nigeria. *Nigerian Bar Association Journal*, 24(3), 89.
- Solan, L. M. (1993). *The language of judges*. University of Chicago Press.
- Tiersma, P. M. & Solan, L. M. (2012). *The Oxford Handbook of Language and Law*. Oxford University Press.
- Trosborg, A. (2020). *Legal language: From Latin to plain English*. Macmillan.
- White, S. (2017) Legislative Deliberations and Language. *Journal of African Legislative Studies*, 13(3), 5

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