

Ideational Metafunctions in Legal Discourse: A Critical Linguistic Analysis of
Panama Case Verdict

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Abstract

The study centers on the Systematic Functional Linguistics (SFL) Analysis of a legal document, namely, The Panama Case Judgement, officially released on the Pakistan Supreme Court website. As there was a lack of literature on the linguistic analysis of legal documents in Pakistan, this paper aimed to give a thorough analysis of the indictment of a former prime minister. The paper made use of the articulated judgement by the court and explored the patterns of language in relation to power in legal discourses. The paper explored that verbal category has used different modes of speech such as; commanding, stating or asking. It also showed that this process was used mostly by the Court itself. This highlighted the significance of the stance taken by the Court throughout the whole judgment, where no external factor made any effect on the outcome or the result. The paper highlighted how linguistic analyses of the legal document can represent the true ideology of the judgement to the reader.

1. Introduction

The concept of language has a tremendous influence on all the parts of an individual's life. The gravity of interacting through language and its manifestation at different levels of communication have a massive impact on day to day living. Moreover, language has multiple dimensions, for example, to express sentiments or comfort in grief. Through language, people can impart their point-of-views, composed in written expression, or

articulated verbally. According to Systematic Functional Linguistics (henceforth SFL), the concreteness of the relationship between society and language has existed from a very early age. Halliday, McIntosh, and Stevens (1964) stated that language is “a form of human activity in societies” (p. 4). While extensively detailing the idea of “users and the use of speech” (1964, p. 75), they also introduced the concept of register variation as well as dialect variation. Through a productive principle, SFL provides a scientific description of how language accommodates both the internal organization of the language being used and the external relations associated with the phenomenon under observation (Halliday et al., 1964). Towards the end of the century, Systematic Functional Linguistics came to be recognised as an informative and useful explanatory framework for investigating language as a strategic meaning-making resource (Halliday, 1994). Martin and Rose (2003) explored how clause structures can be expressed through simultaneous strands of meanings. Halliday (1994) exhibited these language meta-functions into three parts: ideation, interpersonal, and textual.

Language is thus, a breakdown of semantic complexities based on the conventional coding system called the semiotic system, which concentrates on the element of organised choices. In Halliday’s (1994) metafunctions, ideation revolves around people’s experience and perceptions of reality, physical material, as well as the symbolic interpretations of their experiences. The content of ideation also focuses on the discourse, which is the description of not only the activities but also the individuals participating in the activities. In terms of exemplifying the said concept in real-life, the text of the common law system of any given country can be taken into consideration. In particular, the judgements of the courts are a part of the legal discourse. These documents contain rules as well as verdicts, thus, declared by the judge and jury on a meticulously designed case-to-case basis. This document displays the decisions and proceedings publically and is, thus, of high importance.

In technical terms, a judgement is the resultant of a filed lawsuit upon which the court takes a formal decision. Simultaneously, the court may also pass a range of orders in terms of verdicts depending on the nature of the filed lawsuits; for example, they may issue a prison sentence with the defining features of its duration or present a decision in civil matters. Thus, it builds the importance of critically evaluating in order to formulate precise and meticulous judgement texts which may not only be used as public accounts but also for legal education.

Despite its reputable importance, there is a dearth of the linguistic research of such a nature in the Pakistani context. The current paper attempts to study the ideational process verbs used by the judge and jury that would explicate the direction of the ideology taken by each clause of the document.

1.1 Research Questions

1. What are the types of ideational processes used in Panama Case Verdict?
2. How are these processes helping in the meaning-making process of the text?

1.2 Significance of the Study

The study will help in giving way to the understanding of interpretations and considerations which are undertaken in any given text as well as defining that such an interpretation does not have an upper limit (Firth, 1957). Undertaking the scientific aspect of language, Halliday (1994) stated that the target of Systematic Functional Grammar is to produce grammar for the purpose of text analysis: one that would make it possible to say sensible and useful things about any text, oral, or written, in modern English (p. 41). Hence, regarding the current study, it is deemed as crucial to be meticulous about the complex nature of legal documents. The current investigation intends to understand how ideologies and opinions are manifested in a legal document, namely, the transcript of the Panama Judgement Case. Therefore, with the dearth of literature present on the legal linguistics in the Pakistani context, the present study aims to not only add to the gap but also sheds further light on the concept itself.

2. Literature Review

The tradition of legal discourse goes back to the Anglo-Saxon laws which form the basis of the American court trials today. Richard (2008) studied the Hopi culture and found how the Hopi individuals structure their future as well as their well-being on the reliability of their laws. Their focus was on how to keep their social legacy strong by being flexible to changes in society, unlike their many counterparts. From a purely sociolinguistic point of view, Richard's (2008) work furthers the pivotal understanding of legal discourse analyses through the micro-examination of transcripts of courtroom recordings. Following the customs which have affected courtroom functioning, Richard (2008) concluded that social truths are primarily made through face-to-face interaction. Furthermore, the author draws another conclusion that the recent advancements in the field of linguistic anthropological examination of language have also been central to forming and moulding point-of-views on legal discourse from ideologies to the basic semiotics.

Curzon (1968) exhibited a detailed description of how changes in culture led to the changes in legal traditions and the development process of the English Legal System. To describe the Anglo-Saxon courts, Curzon (1968) stated that, "the Anglo-Saxon lawmakers were not motivated by a desire to establish a systematic and comprehensive code of laws, nor were they influenced by any coherent general theory of law" (p. 11). The Anglo-Saxon law was made up largely as a part of the customary rules, dooms, and local folk lore, rather than sustaining a central operating focus, and more often it was based on oral traditions (Curzon, 1968). The central difference among Anglo-Saxon courts and the modern-day court proceedings is that the former one was purely oral in nature. This factor of history is central to understanding the discursive power held up in courtroom decisions. When investigating an unpredictable field, as proposed by the current study, a theoretical approach to the matter is tended to be considered. Hence, to investigate the complex nature of the discourse itself, the analysis of the methodological advantages and disadvantages is important and thus, forming a perspective on the direction of the discourse as the language used will shape the hypothetical as well as the investigative structure of the study. Therefore, making the understanding of the discourse a necessity before any analysis or a reflection on the language and law of the discourse is presented. Although the term discourse is said to be related to the notion of language, van Dijk (1997) presented discourse to be accepted as a

form of language usage. Whereas, Fairclough (2003) called it language in use. Brown and Yule (1983) previously presented this by stating, “the analysis of discourse is, necessarily, the analysis of language in use” (p. 1).

Language presents a great range of complexities which have hidden practical and structural implications. At numerous times, these complexities are not overt in nature. Discourse analysis, thus, targets these hidden features to bring them to light for understanding. Discourse analysis focuses on tangible articulated cases of conversations and does not concentrate on expressions which may be subjective and hence, misleading in the nature of goal or delineating from the target point (van Dijk, 1997).

For this reason, the present study focuses on the case of the Panama Judgement and aims to extract information from the transcript of the court trial. Although, in terms of discourse, a common misconception is that only a written piece of work can be utilised, whereas, discourse analyses also feature characterisations for spoken discourse as well. The present study has taken court trial proceedings transcribed in a written form.

Johnstone (2008) stated that discourse analysis is not concerned with language as a dynamic framework. Instead, it is concerned with the contextual expressions, i.e., the how, why, and when (van Dijk, 1997). Therefore, discourse analysis greatly depends on the contextual meanings with reference to the social background as well as the personal experience of the individuals involved.

Discourse analysis tends to present the critical view of the textual units as well as the non-linguistic elements presented in the piece of work at hand; moreover, it elaborates on the social practices revolving around the piece of work. Fairclough (2003) stated, “text analysis is an essential part of discourse analysis, but discourse analysis is not merely the linguistic analysis of the text” (p. 39). Hence, what CDA does is the unveiling of covert ideologies, hidden philosophies, and limitations of the text. CDA perceives language as a social occurrence, a practice, and thus, is able to break language down where critical analysis of the cultural practices and ideologies of the society as well as the maintenance of the power relations can also be analysed. This breakdown of the text also helps the analyst to bring ideological suppositions to the surface, made within a given text, which may be underlying the discourse through the use of different analysing techniques. A commonly documented observation about courtroom discourses is in relation to the disparities of power which have been shown to form the very foundation of the tenets of speech used within the text. These are also symbolised with the physical format, trappings and tricks of the legal framework. Through the proceedings, all members are, to a certain degree, obliged differentially in the trial process. The circumstances are at different levels of the proceedings; starting from the very top where the ultimate power of the judge stands and is seen as the most effective, to the very bottom where the witnesses are regularly seen as feeble. The concept of a power struggle is not seen within the courtroom as by principal, the individual who holds the most effective status, and is able to exercise the most control is also given the right to talk the most, and hence, it is only the judge who stands with power, the judge’s decision and confirmation of the jury’s decisions are thus seen as conclusive and ultimate.

Another highlighted feature of the courtroom discourse is the manner in which the stories are narrated (Bennet & Feldman, 1981). The authors emphasised that specifically in the criminal cases, the jury built a story by connecting the presented evidence to form the bases

of their decision. Therefore, the jury not only acknowledges the contradicting stories but also chooses the very same to form their story as the ultimate ground for a final decision.

Nowadays, time and again, it is brought to the media platform that a defending council may actually have been more concerned with the presenting a certain set of questions. There is a possibility that the defending council build a certain narrative for the arraignment story and mould it according to self-serving benefits. The trial-as-story has been seen as a significant form of work to be used in discourse analysis and has also been the central type of data-set used by scholars specifically for courtroom language cases.

Within the courtroom, the trial process has different structural dimensions. First, the Direct-examination, in which every witness is allowed to be examined with their supportive counsel. Secondly, the Cross-examination, the adversarial counsel conducts this proceeding. Lastly, the Re-examination only occurs if there has been a need, due to any given reason and is conducted by the supportive council.

In any given trial, a case is opened by presenting a summary of the proceedings to be followed and ends on the conclusive stance of the examination of all the witnesses as a closing address. At the lexical level, the language used in legal matters has been seen as unnecessarily difficult and makes use of archaic expressions and words, for example, herein, thereafter, thereupon, thereafter and so on. Mellinkoff (1963) stated that the language of the law is “wordy, unclear, pompous, and dull” (p. 23). The intricacy of legal language has been seen as an approach to legitimize specific areas of language and has been used to disempower individuals. Although, on the other hand, it ought to be fairly noted that in view of its pervasiveness legal language presents a margin to incorporate changing forms of language. In spite of the fact, that legal language is considered as rather static and unchanging, it is worthy to mention that as a society, legal language is also constantly in the process of development.

Power and ideology go hand in hand as an integral part of molding and remolding of courtroom judgements. Simultaneously, political groups and governmental institutions of such a nature require their own set of language, using the characterization of their domain, presenting their philosophies and trademarks through flagging their language and making use of colloquial generalizations, thus, forming specific structural ideologies for their arguments. Relying on the principles, this utilization of language may proceed to serve and deliver political incitement and historical references. Brooks (2005) states that a varying degree of decisions made within the courtroom is based on a variety of different representations and interpretations of the ongoing narratives. In continuation, it is also stated that the thought behind such a contradictory rendition of occasions is profoundly based on the everchanging social circumstances which further form the basis of the presented ideologies. The ideologies may be biased in nature to the degree of arguing with ensnaring perspectives. These are about socially accepted conducts of behavior, sensibility in the decisions made on the activities involved, and undertaking the previously established inclinations of what is considered as adequate from the perspective of the jury and the other parties involved.

Thus, forming the foundational understanding of how linguistic practices influence the proceedings in a legal setting. The power of such lingual practice can be seen from the viewpoint of the facts that legal documents make use of defensive and opposing narratives

which revolves around the story chosen by the jurors, hence, presenting the importance of the narrative being utilized and the language dimensions which have been made use of.

3. Research Methodology

The present study follows the methodology of qualitative research where the text analyses are performed with the use of Halliday's (1985) metafunctions of language. The metafunction of Ideation is proposed to be used for the analysis of the discourse. The chosen data has been examined in terms of classifications which carry the same opinion and ideology. The present study aims to investigate the clauses presented with a legal judgement, viewing it as a literary text, in order to realize the meaning and how reality is depicted in legal language. Therefore, the unit of analysis for the study is the clause. Whereas, the proposed model of analysis is the Systematic Functional Linguistics (SFL). Ideational Transitivity analysis is used a point of reference and as a theoretical framework for the purpose of analyzing the ideologies.

3.1 Research Sample

The research sample for the study is the original Panama Case Judgement Transcript as released by the Supreme Court of Pakistan on its official website. The Selection of the clauses to be analyzed is based on random sampling, through which a total of 34 samples have been collected, covering all the pages of the document.

3.2 Theoretical Framework

In the concept of Functional Grammar, Halliday (1994), as mentioned earlier, described three metafunctions of language. From these three, the present study attempts to focus on the Ideational meaning or representational clause. This refers to the understanding of the idea being referred to by the clause. Thus, referring to the meaning it is influenced by the field of the discourse and translated and realized through articulation by the Transitivity system. This system as explained by Halliday (1985) states, "the field of discourse refers to what is happening, to the nature of the social action that is taking place: what is it that the participants are engaged in" (p. 12). To further the explanation of ideational, Halliday (1985) described the following processes:

3.2.1 Material Process

It is a process of doing something, depending on the existence of the concept of intentionally or unintendedly, the Action Process may also be classified into two categories. Material Processes can be understood, "from above", where it involves actions, activities, and events. "From below", where it construes to directedness and benefaction, consisting mainly of the Process, the Actor, the Goal (and the Recipient). Lastly, "from around", where it refers to the system of projection to report a thought or speech. Henceforth, the Material Process encompasses the Actor, the Goal, the Range, and the Beneficiary who may be the recipient or the client.

3.2.2 Mental Process

The Mental Process is categorized into three sections: cognition, perception, and affection. It is the process of psychological and philosophical association of actors' actions with his/her mind.

3.2.3 Relational Process

Relational Processes are divided into five portions namely, intensive, attributive, identifying, circumstantial, and possessive, which are focused on the process of describing the abstract relations of the phenomenon. The participant is referred to as the Carrier, who is realized by a noun or a nominal phrase. The emotive terminologies regardless of existing as objective or subjective, positive or negative entities at the ranks of adjectives, adverbs, and/or nouns centrally in the interpersonal functioning as indicated by the speaker's attitudinal approach. This approach is said to be targeting an entity or an event already in existence when a certain set of narrative is aroused in the context. These include words as; lovely, attractive, fantastic, successful, beautifully, ruefully, superficially, poverty, illness, success, or meaningless (Halliday, 1994, p. 184). Thus, the Relational Process which is also the Attributive process is formed of the Carrier and their Attribute.

3.2.4 Verbal Process

A verbal process is formed of either direct or indirect forms of reporting, hence, it stands on the border of mental and relational processes. It is said to be "any kind of symbolic exchange of meaning" (Halliday, 1985, p. 129). It is also the idea of human consciousness which involves the articulated or linguistic expression of the speaker, the addressed individual is referred to as a Target, and the resultant Verbiage.

3.2.5 Behavioral Process

The connecting point of both material and mental processes is the amalgamation of physiological and psychological behaviors such as breathing, coughing, smiling, dreaming, and staring. Thus, the Behavior Process is the coexistence of the behavior under study with the phenomenon in which it occurred.

3.2.6 Existential Process

This process of existence proceeds with no representational function. An Existent may, thus, be an entity, an event, or an action. Existential Process then involves only the Existence of the subject.

4. Results and Discussion

This part of the article is divided into two parts. In the first part, the processes identified in the text have been tabulated and discussed while in the second part the examples of different processes have been presented with critical commentary.

4.1 Ideational Processes in the Text

The following table shows the comparison of the processes in the analyzed linguistic units. Furthermore, the interpretation and discussion on the number of occurrences have also been included in the part below.

Table 1
Representation of Ideational processes

S.NO		Court	%	JIT/NA B	%	ASC of Respon dents	%	Total
1	Verbal Process	14	77%	1	5.5%	3	16.6%	18
2	Existen tial Process	4	100%	-	-	-	-	4
3	Materia l Process	8	100%	-	-	-	-	8
4	Relatio nal Process	3	33%	2	22%	4	44%	9
5	Behavi oural Process	-	-	4	44%	5	55%	9
	Total	29	-	07	-	12	-	48

Note. Joint Investigation Team/National Accountability Bureau (JIT/NAB); Advocate Supreme Court (ASC)

Through this table it is analyzed that out of all processes, the use of the verbal process is highest in percentage. The verbal process is a large category which uses different modes of speech such as: *commanding, stating* or *asking*. By looking at this table we come to know that this process is used mostly by the Court itself. This tells us about the stance which the Court takes throughout the whole judgement, where no external factor makes any effect on the outcome. On the other hand, the use of a behavioral process which describes the mental

or psychological behavior of the speaker is used excessively by both the JIT and ASC Respondents, as seen through the stated percentage. The process uses behavioral verbs such as: *grumble*, *smile*, or *frown*. The use of this process shows the speakers personal attachment to what is being said, which allows their statement to have a higher ratio in being biased than non-biased. Both the JIT and ASC Respondents have also made high use of Relational process, in a percentage of 66% in total, showing attributes qualities of being or having. These attributes can show the relation between possession of items or abstract nouns between the carrier + attribute. This shows the speakers need of authentication by the use of external factors which in returns lowers its chance of being authentic – this applies in the case of abstract noun attachments. Furthermore, the existential process represents something that simply exists, is a fact which is used only by the Court. This shows that the court is stating nothing but a known fact; hence, this is contributing to its authenticity once again.

4.2 Analysis of the Selected Parts of the Text

The following part of the paper presents examples from the text with a detailed analysis and discussion. In total there are 34 examples which fall in one or the other category as shown in the table above, but there are some examples which fall in two categories.

- 1) *The Heads of the aforesaid departments/ institutions shall recommend the names of their nominees for the JIT within seven days from today which shall be placed before us in chambers for nomination and approval.*
- 2) *Respondents No. 1, 7 and 8 are directed to appear and associate themselves with the JIT as and when required.*
- 3) *The JIT shall complete the investigation and submit its final report before the said Bench within a period of sixty days from the date of its constitution.*
- 4) *“It is further held that upon receipt of the reports, periodic or final of the JIT, as the case may be, the matter of disqualification of respondent No. 1 shall be considered. If found necessary for passing an appropriate order in this behalf, respondent No. 1 or any other person may be summoned and examined.”*
- 5) *We would request the Hon’ble Chief Justice to constitute a Special Bench to ensure implementation of this judgment so that the investigation into the allegations may not be left in a blind alley.*
- 6) *The JIT undertook the task thus assigned and submitted a complete investigation report on 10.07.2017.*
- 7) *They further stated that certified copies of the correspondence between Mr. Errol George, & Co. (B.V.I.) Limited collected through Mutual Legal Assistance prove that respondent No. 6 is the beneficial owner of the Avenfield apartments, therefore, the document showing her as trustee is a fabrication on the face of it for which she is liable to be proceeded against for forgery and using forged documents*
- 8) *whatever has been stated in Qatri letters remained unsubstantiated as the Qatri Prince neither appeared before the JIT nor ever stated his point of view through any other legally recognizable means*
- 9) *failure of respondent No. 1 to disclose his assets deposited in his account on account of his being Chairman of Capital FZE would also call for his disqualification*
- 10) *assets of respondent No.7 and 8 have surprisingly grown manifold overnight notwithstanding all of their business enterprises run in loss; that the facts and figures showing inflow and outflow of Hill Metals Establishment also appear to be fudged and fabricated when seen in the light of the material collected during the course of investigation by the JIT;*

Figure 1 Selected 1-10 Samples of the Verdict

In the Sample 1 sentence Material process has been used in which “The heads of the departments” are the actors, while “recommend” is the process and “JIT” is the goal. Here Process shows that how much head of institutions are committed towards their case and placing the names for JIT before the chamber for nomination for seven days shows the duration of completion of the task.

The statement of sample 2 is a simple Material Process in which, “Respondents” are the actors, in the process, while “directed” is the process and “appear” is the goal of the

process. The usage of words such as “directed” and “required” shows firm attitude and that no leniency will be shown regarding this matter.

The statement 3 stated performs a Material process within which; “JIT” is the actor, “Complete the investigation” is the process and “submit its final report” the Goal. This sentence can also be said to be a simple Verbal process as well, as it not only shows the assigned task in direct language but also signifies the time within which it should be completed.

This statement 4 is a combination of both the material process and the verbal process. The material act can be seen in the first line, where “report” is acting as the abstract actor in this sentence while the goal being the “disqualification”. These lines which are said by Justice Ejaz Afzal Khan mainly show the use of verbal process in which the speaker delivers an unbending statement to the reader, clarifying in simple words as to what is and what shall be.

This sentence 5 follows the Material Process, where the “Hon’ble Chief Justice” is the Actor, “Investigation into the allegation” is the goal and the constitution of a “special bench” is the process done by the actor i.e. “Hon’ble Chief Justice”. As the actor is the “Chief Justice” it shows that the ultimate power lies with the “Chief Justice”.

This sentence 6 clearly states something which has already been done and only exists for the purpose of providing information, hence this would come under the category of verbal process.

The stated sentence 7 has two processes involved in its construction, which are, Relational and Behavioural Process. Relational Process has been detected twice; in the beginning “Correspondence between Mr Errol George & Co. (B.V.I)” and in the following lines, it shows the relation of respondent No. 6 as the owner/trustee of the Avenfeild apartments. In the continuing line it shows the attitude of the writer, in this regard the judge’s behaviour towards respondent No. 6; in the line “...she is liable...” The word “liable” shows that the Judge is giving her a margin to defend herself before any strong action is to be taken. In other words, leniency can be seen from the writer’s side.

Verbal Process is seen in the stated sentence 8, in which a statement has been stated, explaining what is and what is not. Further, it also portrays the relational process in which it nullifies the relationship between the Qatri letters and the JIT, by describing the Qatri letters as “unsubstantiated”.

Throughout the sentence 9, we see the use of relational process, at first respondent No.1’s relation with “his assets” second his relationship with “being the chairman of Capital FZE”. Verbal process can also be seen in this sentence as it shows how one thing will make an effect on the other, the later effect being, a strict connotation given by the judge, i.e. “disqualification”.

“Assets of respondent No.7 and 8” shows the relational process being applied in the discussed sentence 10. In the following sentence JITs discoveries have been discussed but the point of pondering in these lines is the emphasis on the words “fudged and fabricated” Although these words are synonyms of one another, yet they have both been placed together. Through this it can be said that the point discussed in these lines is of specific importance and has been taken into real consideration. In other words, it can be said that

behavioral process is being seen as these words depict the serious or focused behavior of the Judge.

- 11) *all the material collected and finding given by the JIT do not deserve any consideration inasmuch as they are beyond the scope of investigation authorized by the order of this Court JIT cannot be said to be fair and just when none of the respondents was questioned about or confronted with any of the documents tending to incriminate them*
- 12) *He next contended that no weight could be given to the finding of the JIT when it is not supported by any authentic document.*
- 13) *the correspondence between Errol George, Director FIA and Mossack Fonseca & Co. (B.V.I.) Limited or the certified copies thereof obtained through an MLA request cannot be relied upon unless proved in accordance with law.*
- 14) *Assets of respondent No. 10 have been audited and examined from time to time, but no irregularity was ever found in any of them.*
- 15) *Learned ASC appearing on behalf of respondent No. 10 contended that ... the finding of the JIT has no legal or factual basis; that no conclusion much less sweeping can be drawn on the basis of such report;*
- 16) *...JIT's report is based on miscalculations; that the respondent cannot be impaled on the same charge by imputing a wrongdoing without any tangible evidence;*
- 17) *it would be rather unjust to thrust the respondent in another treadmill of tiresome trial before the Accountability Court.*
- 18) *"Yes, the officers at the peak of NAB and FIA may not cast their prying eyes on the misdeeds and lay their arresting hands on the shoulders of the elites on account of their being amenable to the influence of the latter or because of their being beholden to the persons calling the shots in the matters of their appointment posting and transfer."*
- 19) *Courts of law decide the cases on the basis of the facts admitted or established on the record. Surmises and speculations have no place in the administration of justice. Any departure from such course, however well-intentioned it may be, would be a precursor of doom and disaster for the society.*
- 20) *"Any liability arising out of these Sections has its own trappings."*

Figure 2 Selected 11-20 Samples of the Verdict

In the 11th statement, Behavioral process as seen as in the line "JIT cannot be said to be fair and just" through this line we can see that unjust or unfair behavior is being attributed to the JIT, in regard to their investigation. Through the analysis of these lines, it can be predicted that the Judge has shown unbiased attitude towards the respondents by taking in account the unethical doings of the JIT.

In the 12th statement, it is figured that the Relation between the JIT and Court is being eliminated by attributing the unauthentic behavior to the documents given by JIT. Hence, showing both the use of Relational and Behavioral process.

The relation between all the evidence collected and the law can be seen in the statement no. 13 stated above; it shows a correlative relation between the evidence and the law, meaning that any evidence would only be taken under consideration if and only if it is “in accordance with law”.

This is a basic Verbal process application, in which a point is being stated in statement 14, under detailed examination behavioral process is also seen to be present, where the “assists “are attributed with “no irregularity” behavior.

The ASC represents their opinion on the finding of the JIT in the sample 15. Through this verbal process the benefit of the doubt is again given to the respondent No.10, signifying the relation of the JIT finding by attributing it to being as “sweeping”. It can be said that the speaker through their words wants to emphasize the biased connotations that are being portrayed by the JIT, allowing not only the speaker but also the reader to give the benefit of the doubt to respondent No. 10.

Behavioral process is seen in the chosen sample 16, as the speaker uses the words “impaled” to intensify the effect of the said miscalculated report. The importance of “tangible evidence” is depicted through the use of relational process, where it shows the attributing “tangible” to the carrier which is “evidence”.

In sample 17, this opinion stated by ASC of respondent No.10, by the use of Verbal process again shows the favorable behavior towards respondent No.10. Inclining the reader to also feel the same by using the relational process and attributing the feature of “tiresome to the carrier trial”.

In the given lines in sample 18, Mr Justice Sh. Azmat Saeed and Mr. Justice Ijazul Ahsan give their opinion regarding the case. Through the use of verbal process, they in language construct the idea held in their mind. Through the use of verbal process, they choose to give the benefit of doubt in favour of the respondent being an elite, who they believe are a prey in the “prying eyes” of NAB and FIA. This allows the reader to look at all the sides of the case and not only be influenced by the biased opinion of the investigation teams.

Existential and verbal process is evident in these lines of statement 19; through this statement, the reader is notified of what is and exists, and how the Court will be dealing with the case. It also gives the reader affirmation that nothing will go un-notified. This also shows the definite rules the court would be following in order to attain a just result of the aforesaid case.

The sample 20 is the commentary of the Court in which a basic Verbal process can be seen, where the court is stating in clear words as to what shall be done. It also conveys the limitations of the investigation by making sure that the respondents know of the consequences that are to come if anything is outside of the specified boundaries set by the Court.

- 21) *Such investigation is followed by a full-fledged trial before an Accountability Court for determination of such liability.*
- 22) *"Let the law, the Investigation Agency and the Accountability Court and other Courts in the hierarchy take their own course."*
- 23) *"... We also don't feel inclined to arrogate to ourselves a power or exercise a jurisdiction Which has not been conferred on us by any of the acts of the Parliament or even by Article 184(3) of the Constitution."*
- 24) *"It is evident from a bare reading of the aforesaid provisions that the prosecution must establish that a person or his spouse or dependent or benamidar owns or possesses a property."*
- 25) *"... If the aforesaid allegation is proved then the accused must give an explanation as to the source of legal funds for acquiring such property and upon his failure to do so, he becomes liable for punishment under the aforesaid law."*
- 26) *"... Adopting any other mode would set a bad precedent and amount to a constitutional Court following an unconstitutional course. This, we are not willing to do, in the interest of upholding the rule of law and our unflinching and firm belief in adherence and fidelity to the letter and spirit of the Constitution."*
- 27) *The argument that the JIT overstepped its authority by reopening the case of Hudabiya Paper Mills when Reference No.5 was quashed by the High Court does not appear to be correct as JIT has simply made recommendations in this behalf which can better be dealt with by this Court if and when an appeal, before this Court, as has been undertaken by Special Prosecutor NAB, is filed and a view to the contrary is taken by this Court.*

Figure 3 Selected 21-27 Samples of the Verdict

The statement 21 shows the use of existential process, as it is related with the investigation of the trial in a specified way. Allowing the reader to know that this is how "such investigations" are dealt with. This investigation process exists and hence will be performed or continued as it is supposed to.

The lines in sample 22 here show the commentary stated by the Court. It is a verbal process, which shows the relationship of the "law, the Investigation Agency and the Accountability Court" to their authorized power, which allows them to make their own way through this case.

The lines in sample 23 as said by the Court show the use of Verbal process. These lines depict the constructed idea of the court in form of language, which only confirms that the court without any doubt would not go outside the borders of its limitations as it respects the given acts of the parliament and the constitution.

This sample 24 taken from the commentary of Mr. Justice Azmat Saeed shows the use of verbal process, through which he simply states of what should be. It can also be said to be a part of the Existential process, as the speaker is affirming only to what already exists i.e. "aforesaid provisions".

In the said lines from sample 25 by Justice Sh. Azmat Saeed the use of material process is evident, where words like “the accused” are being the actor, while the word “explanation” is being the goal. Attributing the word “liable” with “Punishment” shows the mild relationship of the punishment and the accused i.e., “his”. This relational process can be said to depict the lenient attitude shown by the Court.

These lines in sample 26 show the views expressed by Mr. Justice Ijazul Ahsan, by the use of a simple verbal process which delivers to the reader the correct meaning of what is being said. Not only this, it also portrays the loyalty expressed by the speaker to his profession and the law. Hence, creating a sense of trust and affirmation between the reader and the speaker.

According to the Behavioral process, the statement “overstepped its authority”, in sample 27, represents the outer manifestations of inner workings of the JIT. This is giving the reader the negative connotation of the JIT being aggressive towards the case.

- 28) *“... Similarly, the respondent No.1 did not withdraw the salary of AED 10,000. Thus, the salary shown in the Employment Contract in effect never constituted an “asset” for the respondent No. 1.”*
- 29) *respondent No. 1 did not disclose his aforesaid assets, it would amount to furnishing a false declaration on solemn affirmation in violation of the law*
- 30) *It is hereby declared that having failed to disclose his un-withdrawn receivables constituting assets from Capital FZE, Jebel Ali, UAE in his nomination papers filed for the General Elections held in 2013 in terms of Section 12(2)(f) of the Representation of the People Act, 1976 (ROPA), and having furnished a false declaration under solemn affirmation respondent No. 1 Mian Muhammad Nawaz Sharif is not honest in terms of Section 99(f) of ROPA and Article 62(1)(f) of the Constitution of the Islamic Republic of Pakistan, 1973, therefore, he is disqualified to be a Member of the Majlis-e-Shoora (Parliament);*
- 31) *The Election Commission of Pakistan shall issue a notification disqualifying respondent No. 1 Mian Muhammad Nawaz Sharif from being a Member of the Majlis-e-Shoora (Parliament) with immediate effect, whereafter he shall cease to be the Prime Minister of Pakistan*
- 32) *The President of the Islamic Republic of Pakistan is required to take all necessary steps under the Constitution to ensure continuation of the democratic process.*
- 33) *This Court commends and appreciates the hard work and efforts made by Members of the JIT and their support and ancillary staff in preparing and filing a comprehensive and detailed Report as per our orders.*
- 34) *The National Accountability Bureau (NAB) shall within six weeks from the date of this judgment prepare and file before the Accountability Court, Rawalpindi/Islamabad.*

Figure 4 Selected 28-34 Samples of the Verdict

The speaker of these lines, in sample 28, Sr. ASC of respondent No.1, states through the use of Verbal process that the mentioned “asset” is of no use to the respondent No.1 as they have not been withdrawn. Therefore, they prove not to be considered as an asset. However, in the continued lines the Court contradicts and mentions that an un-withdrawn salary is still receivable and can so be called an asset.

In sample 29, Verbal process is seen, as it means exactly what it states. This implies that as respondent No. 1 failed to reveal about his assets, this act would therefore be considered as “violation of the law”. It can also be said that this briefly stated statement shows the authoritative and firm attitude of the Court.

In the statement 30, all the attributes such as; “failed” “false” “not honest” and “disqualified” are of one carrier who is identified as “his” or “respondent No.1”, which shows the usage of negative Relational process, upon the basis of which an act of disqualification has been taken.

In the entire given statement no.31 we see the use of material process, which is the process of doing. Here, it configures that the Commission, who is the actor, will give a “notification”, which is the process, to achieve the goal that is to “disqualify respondent No.1”. Use of Relational process is also seen in the following line in which, “he” the carrier and “cease” is the attribute.

In this statement no. 32, we can see use of both material process as well as behavioural process, when discussing the former we see that “The President” is the actor, “take all necessary steps” is the process needed to achieve the goal, which is, insurance of “democratic process”. We can see the presence of behavioural process by the use of the word “required” meaning that it is compulsory for this act to happen, in other words the Court demands it.

Verbal process can be seen to be applied in the written sentence no. 33, in which remarks of appreciation are being shown by the Court to the working or participating parties.

In statement 34, through analysis it can be seen that material process is being applied, in which “NAB” being the actor, preparation of “file before the accountability Court” being the goal, whereas the given time “six weeks” is the process.

5. Conclusion

Keeping in view the results of all the evidences by the Joint Investigation Team (JIT), National Accountability Bureau (NAB), Respondents and other investigation authorities, we can conclude that through the high usage of the Verbal Process by the Court and the respective Judges, the stance of the Court is represented as unbiased. The simple statement through which the Court has projected their idea proves that the Court’s opinion is not affected by any external force other than what they have to abide by the stated law. Whereas, we see through the analysis that the opinions and commentary done by the JIT and NAB use behavioral and relational processes extensively. Through which both the investigation authorities depict an aggressive attitude towards respondents, and specifically respondent No.1, Mian Nawaz Sharif, by attributing the carrier i.e., Mian Nawaz Sharif with negative features. Likewise, the commentary and judgments made by Sr. ASC of respondent No.1 and No.10 are using the same behavioral and relational processes in order

to attain the benefit of the doubt, that is in favor of both respondents while simultaneously attributing “false allegations” to the findings of the investigation teams.

Furthermore, the researchers determine the idea that the Supreme Court ideology was unprejudiced and even-handed as it maintained its stance of following the specified rules given by the constitution, in order to produce a neutrally written result of this case. It is, therefore, fair to say that the judgement revealed was unaffected by all except that which applies by the law.

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