EFFECTS OF IDEOLOGICAL MOTIVATIONS ON GENERIC STRUCTURES OF THE SAME MESSAGE TEXTS: A COMPARATIVE GENRE ANALYSIS OF A LEGAL JUDGMENT AND A NEWSPAPER REPORT

Naveed Ahmad*

Abstract

This paper is an attempt to describe generic structures of two legal texts in the light of social ideologies that functionally motivate the producers of the texts to write them the way they are written. The selected texts are: 1) a legal judgment of the US Supreme Court produced by Justice Rehnquist, the former chief justice of the United States Supreme Court in a famous case Jennifer Gratz and Patrick Hamacher V. Lee Bolinger et al., and 2) a newspaper report of the same judgment published in The Washington Post. As a genre analyst, my concern when confronted with these two texts is to describe and explain how both the texts are alike and how they differ in terms of generic structures and social and institutional influences. The findings reveal that the writers of two texts communicate the same message in two strikingly different ways as the differences between the texts are more marked than their similarities due to the producers' communicative intent: The judge's communicative intent is to persuade the specialized audience, whereas the newspaper reporter informs and instructs the general public. In non-technical terms, the legal judgment is heavier or more formal, more technical, and more detailed than the newspaper report which sounds more accessible and opinionated. Differences found in terms of generic structures are related to 1) number of stages 2) sequencing and prioritizing of stages 3) content of stages 4) institutional conventions in stages and, 5) professional skills in stages. The findings have valuable pedagogical significance.

***Keywords*:** Genre Analysis; Legal English; Comparative Genre Analysis; English for Specific Purposes; English for Academic Legal Purposes

Written Language of Law

One way of describing the legal language is to point out the linguistic features of the legal language at different levels: lexical, syntactical and discoursal, etc. Melinkoff (1963), Crystal and Davy (1969) Bhatia (1983, 1993, 1994), Throne (1997), Tiersma (1999) Mattila (2006) and many others have worked along these lines. Besides this, genera-based approach is a popular way to analyze legal texts. Legal genres are defined in the following manner:

> "The highly institutionalized and sometimes ritualized discourse of the law often follows regular patterns; organized sequences of elements

* Naveed Ahmad, Ph.D. Assistant Professor, Department of English, Bahauddin Zakariya University, Multan

> which each play a role in achieving the purpose of the discourse." (Gibbons, 2004, p. 286)

Some fundamental written genres in legal English are statutes (legislative writings), cases, law reports, law review journals and law textbooks. I will review literature related to these genres in the following lines.

Legislative Genre

A significant research on legislative writing was carried out by Crystal and Davy (1969). Crystal and Davy stylistically analyzed the legislative English at various levels: graphitic, typographical, lexical, syntactic and phonological etc. Further, they mentioned that some general characteristics of the language of law are that it is 'least communicative', 'subject-specific', 'all inclusive' and has 'sub-varieties' which are divided into such varieties.

Besides this, Bhatia (1994, p. 141-153) provides the syntactic features of legislative genre under different headings: sentence length, nominal character, complex prepositional phrases, binominal and multinominal expressions, initial case descriptions, qualifications in legislative provisions, syntactic discontinuities and cognitive structuring in legislative provisions. Bhatia demonstrates that legislative statements have "conventionalized communicative purpose" mutually shared by the practicing members of the specialist community. Moreover, the findings of Bhatia's (1983) corpus study of legislative texts show that three categories of qualifications perform ten functions. Similarly, Bhatia (1993:33), while describing the cognitive structuring in legislative texts, displays an interactive move-structure in legislative writings, where the density and the complexity of qualificational insertions serve as typically legal function in this genre. For pedagogical purposes, Bhatia suggests "easification" of legislative texts through certain techniques, like textual mapping.

Cases

Besides legislative writing, another sub-variety of legal writing is cases (judicial opinions). Almost all the legal cases and judgments available to date, and these are in millions; consistently display a typical discourse organization, which is unique to this genre (Bhatia, 1979, 1983, 1993).

Similar to the analysis of introduction to research articles produced by Swales (1990), a number of other linguists, Bhatia (1993:135), Maley (1985:44), Bowles (1995:201-222) and Badger (2003:255), carried out textual analysis of cases and law reports: See Table1 to 4 below:

	Main Stages	**Subordinate Stages**
1.	Identifying the case	
2.	Establishing the facts of the case	
3	Arguing the case	
3.1		History of the case

3.2		Argument
3.3		*Ratio decidendie* (or reason for the decision)
4	Judgment	

Table 1: Bhatia's description of the structure of law reports

Badger (2003) indicates that Maley's (1985) description does not distinguish main and subordinate stages, and he omits Bhatia's (1993) `identifying the case' and replaces `judgment' with `order/finding', yet is otherwise very similar.

Stages	Description
1. Facts	An account of events and/or the relevant history of the case
2. Issues	The issue of either fact or law or both
3. Reasoning	
4. Conclusion	The principle or rule declared applicable for the instance case
5. Order/finding	

Table 2: Maley's description of the structure of law reports

Bowles' (1995:203) description of the structure of law reports is very similar to that of Bhatia (1993) and Maley (1985), though, unlike Maley, he does not refer to the history of the case.

Main stages	Subsidiary stages
1. Heading	
2. Description of court	
3. Keywords	
4. Description (of the facts)	
4.1.	List of cases cited
4.2	Opinion of concurring judges
5. Judgment (argument of judge and principle of aw)	
5.1.	Opinions of concurring judges
6. Decision (of court)	

Table 3: Bowles' description of the structure of law reports

Badger (2003) also gives his own description of newspaper law reports, which is very much similar to that of Bowles'. However, Badger's description is more detailed than that available in Bowles' (1995). See Table 4.

Stage	Description of Stage
1. Headline	
2. Court	The name of the court hearing the case
3. Title of Case	
4. (Judges)	The names of the judges hearing the case
5. (Date)	The date of the case (rather than the report)
6. Summary	Normally includes facts, ratio and decision
7. Lawyers	The names of the lawyers involved in the case
8. (Facts)	
9. (Facts and Decision)	
10. (Legislation)	
11. (Decision)	
12. (Lawyers)	The names of the lawyers involved in the case

Table 4: Badger's description of the structure of law reports

Case law has also been analyzed from some other angles as the studies carried out by Burnham (2002) and Stratman (2004) reveal. Burnham' (2002) analysis takes into account the process of reasoning in case law:

> Two basic types of legal reasoning are used with case law: deductive reasoning and analogical reasoning. Deductive reasoning takes case law "rules" and applies them in a manner similar to statutes. Analogical reasoning directly compares the facts of the prior precedent to the facts of the case to be decided. (Burnham, 2002, p. 66)

Similarly, Stratman (2004) researches case law in a distinct manner as his work *critiques linguistic and cognitive approaches to investigating and describing how legal analysts interpret indeterminacy of meaning in legal rules. It argues that linguistic approaches need real-time cognitive data to support claims about the ways legal analysts respond to indeterminacies, rather than relying on theoretical exegesis alone. Conversely, cognitive approaches need linguistic analysis to reveal how different discourse processing environments may shape the interpretation of indeterminate legal language. And both*

approaches need studies in which legal analysts' professional roles, communication tasks, and interpretative contexts are examined as components. (Stratman, 2004, p. 23).

Law Review Journals

Journal article is a common genre used in academic legal settings. Feak *et al.,* (2000) divide the material published in legal journals into two categories: law reviews and law notes by pointing out orthographical and organizational differences in them. Feak *et al.,* focus their study on analysis of published student-written legal research papers, which can serve a model for teaching seminar paper writing. After a discussion of some general characteristics of these research papers, they focus their detailed analysis on the introductory sections, and show how they are both similar to and different from those found in research articles (RA) introductions as described in Swales (1990).

Legal Textbooks

Bhatia (1987), commenting on legal textbooks, points out that special methodological and conceptual features of law require a different treatment of various commonly used communicative devices. Another interesting work on legal textbooks is that of Wickrama (1982). His work indicates that within a legal textbook, there are significant variations in the rhetorical structuring. In fact, different parts of a case have different rhetorical structuring. Candlin *et al.,* (2002) evaluated legal writing books and recommends three approaches for developing legal writing materials.

Present Study

In this section, I will introduce the present study, and then will move toward the analysis. The analysis of the *legal judgment* has been reported first. This is followed by the analysis of the *newspaper report*. Next, a comparative analysis of both these texts has been presented. The section ends with a discussion.

Introduction

For the present study, two legal texts have been selected: a *legal judgment* and a *newspaper report.* The legal judgment is a judgment of the US Supreme Court in a famous case *Jennifer Gratz and Patrick Hamacher V. Lee Bolinger et al* .Justice Rehnquist, the former chief justice of the United States Supreme Court, produced this text. This text has been selected from *Lexis Nexis*, a database for legal research. The *newspaper report* is a newspaper version of the same judgment produced by a newspaper reporter, and published in *The Washington Post* of January 24, 2003.

The writers of the *legal judgment* and the *newspaper report* communicate the same message in two strikingly different ways as they have different ideologies that provide the bases for production of these texts. I will address the following questions to analyze the generic structures of the texts in question:

For the *legal judgment*

a) What structural patterns does the judge follow in producing the *legal judgment*?

b) What are the ideological bases behind these structural patterns?

For the *newspaper report*

a) What structural patterns does the news reporter follow in producing the *newspaper report*?

b) What are the ideological bases behind these structural patterns?

For both the *legal judgment* & the *newspaper report*

What social contexts motivate the two writers of the same message to write in significantly different ways?

Analysis

As a genre analyst, my concern when confronted with these two texts is to describe and explain how both the texts are alike and how they differ in terms of generic structures and social and institutional influences that motivate the producers to write the texts the way they are written. The differences between the texts are more marked than their similarities. In non-technical terms we could describe the *legal judgment* as heavier or more formal, more technical, and more detailed than the *newspaper report*, which sounds more accessible and opinionated. The first step in the genre structure analysis will be to describe the choices the producers make in staging the texts. The second steps will be an explanation in the form of contextual reasons that have motivated the producers to stage their texts the way they have been staged.

The Legal Judgment

The genre analysis of the *legal judgment* reveals that the text-producer structures his message by breaking it into eleven stages, which are described below:

Stage 1: Caption

The writer provides the introductory materials of the case that comprises the name of the case; the date the court delivers the decision and the citation that is a reference number to find this case for future references. The writer provides all this introductory material in a conventionalized manner that has been established in the legal profession and the specialists are aware of that.

Stage 2: Summary

This is an overview of the entire case. The purpose of this summary is to help those readers who are not required to read the entire text at a particular point in time but want to have some knowledge of the case. Moreover, the summary also prepares the interested readers of the specialized community for the actual reading of the entire case.

Stage 3: Experts

The writer provides information regarding the experts involved in the case. These experts are the attorneys from sides, the judges hearing the case and the judge who

writes the judgment. The names of all these members of "discourse community" are provided, as it is an institutional convention to do so.

Stage 4: Solution to the Problem

Here the producer provides the solution to the problem that is before the court. This is in fact, an answer to the question that is before the court.

Stage 5: Facts and Procedural Posture

At this stage, the text producer narrates the human story or dispute that brings the parties before the court. The text producer exposes all the main characters that play significant roles in the action. The procedural posture describes the history of the case in the lower courts. The producer of this text moves back and forth from story to the procedural posture combining these two different stages. Mostly, judges in their opinions, split facts and procedural posture into two different stages. But, in this text the producer of the text takes them together.

Stage 6: Issue

Here the producer frames the issue. This stage overlaps with stage 4 to some extent, in terms of its content. However, it differs in two ways. First it narrows down the issues by specifying the questions before the court that includes an addition of a question that was not brought to the court by the parties but has emerged later in the court. Second, the producer takes these questions as a departing point for the next stage that is reasoning and holding(s).

Stage 7: Reasoning & Holding(s)

This stage covers a significant part of the text. As in stage 5 where the text producer combined the two stages of facts and procedural history taking the both as one stage by moving back and forth between the facts and procedural posture. Similarly, the producer is performing the same task here as well. Normally, judges separate the stage of reasoning from the stage of holding but the present writer is taking them together. In fact, he moves back and forth between the holding(s) and reasoning to provide a through rationale. This stage is the most important stage for the producer as it exposes him in the context and provides the specialist community an opportunity to pass value judgments for producing this stage of the text as the entire case is decided in the light of this stage. The producer's concern, apart from many other personal motives, is to meet the expectations of the specialized audience by providing the information in a persuasive and conventionalized manner.

Stage 8: Overall Holding and Rule

Once again the producer of the text is combining two stages that are taken differently by many judges. Holding is the court's narrow, factually specific legal answer that the court gives to the question(s) that the parties ask. On the other hand, rule is a broad legal principle for which this case stands. This principle becomes a precedent for the coming case of similar nature and that principle is of binding nature for the lower judiciary. The specialized audience expects from the producer of the text to provide this stage in the text either somewhere within the other stages of the text or distinct from other stages. The producer of this text structures this stage by putting the holding and rule together.

Stage 9: Judgment

This is a very short statement where the producer is providing the order of the court. As a matter of convention this is the last stage where there is no concurring or dissenting opinions. As this case does have concurring and dissenting opinions therefore, it is not the last part of the text and comes right after stage 8. It seems as if stage 8 and stage 9 are put together in the text as stage 9 is linked to stage 8 because stage 9 is the result of inductive reasoning of stage 8 however, in my analysis I see more reason to take it as a distinct stage created by the producer since it contains a very important information that is semantically distinct in itself though logically connected with stage 8.

Stage 10: Concurring Opinion

Following the conventional rules that the specialized community expects from the producer, concurring opinions have been provided after the judgment. Concurring opinions are opinions of the judges who agree with the majority but with different reasoning.

Stage 11: Dissenting Opinions

Once again, following the conventional rules that the specialized community expects, the producer provides the reasoning of the judges who do not agree with the majority and differ in their opinion regarding the opinion. This is the last stage of this text. Table 5 below depicts the generic structure of the *legal judgment*.

Stage	Description of Stages	Ideological Motivations
1. Caption	The title, date and citation of the case	To meet the expectations of specialized audience by following the established convention
2. Summary	The overview of the entire case	To help readers by providing an easy way to have an idea of the case
3. Experts	The names of the attorneys, judges and the judge who	To meet the expectations of specialized audience by providing information

	writes the judgment	through established norm
4. Solution to the problem	The answer to the issue in question	To help readers by letting them know about the court's answer to the question
5.Facts & Procedural History	The story of the event that brings the parties to the instant court as well as the proceedings of this case in the lower courts	To meet the expectations of specialized audience by providing information through established norm
6. Issues	The framing of questions that require answers by the court.	‘’ ‘’
7. Reasoning & Holding(s)	Detailed arguments and answers to the problem(s)	To meet the expectations of specialized audience by providing information through established norm as well as to reveal professional competence
8. Overall Holding & Rule (*ratio deciendi*)	The answer to all the problems raised/precedent for future cases	To meet the expectations of specialized audience by providing information through established norm
9. Judgment	The decision of the court.	‘’ ‘’
10. Concurring Opinion	Provision of the arguments of the judges in the panel who shared the decision of the majority, but with different arguments	‘’ ‘’
11. Dissenting Opinion	Provision of the arguments of the judges who showed difference of opinion in the judgment	‘’ “

Table 5: Generic Structure of the Legal Judgment

The *Newspaper Rreport*

The *newspaper report*, on the other hand, displays five stages with the following structural patterns:

Stage 1: Headline

The writer provides the headline to catch the attention of the readers. The headline is provided in a conventionalized manner as it includes all the stylistic features that are associated with the construction of newspaper headlines. It provides a very little amount of information in a way that creates curiosity for readers to know more about the information already provided.

Stage 2: Reporter

This stage provides information about the name of the person who produces the text and his position in the organization where he works. This is also a conventionalized manner of providing the information.

Stage 3: Main idea of the court's opinion

The producer uses his professional skills to put all the information that is important in only two paragraphs. At this stage, he gives the main idea of the text by letting the reader know the 'who', 'what', 'when', 'where', 'why' and 'how' of the event. He achieves the completeness of the message by remaining concise and clear as well.

Stage 4: Net Effect of the court's opinion

This is a detailed section of the text comprising a great number of paragraphs. This stage provides further information to the audience with analysis that includes the views of the people from different sections of the society. This stage provides net effect of the court's opinion on general as well as specialized community in terms of its social implications. It not only conveys the feedback of the masses but also informs the readers about the views of the newspaper as well. Helping people to formulate their own opinions is also one of the considerations of the producer of the text.

Stage 5: Procedural history of the case

The producer creates the last stage of his text by providing the reader some information about the procedural history of the case i.e. how this case was dealt in the lower courts before coming to the instant court. Table 6 below depicts the generic structure of the newspaper report.

Stages	Description of Stage	Ideological Motivations
1. Headline	A brief statement that describes the occurrence of the event	To capture reader's attention by providing some information in a highly conventionalized manner
2. Reporter	The name of the producer of the text and his position in the organization	To provide information in a conventionalized manner
3. Main idea of the	Two opening paragraphs	To provide the gist of the

decision	describing the what, where and how of the message	objective information about the event following the convention of being concise, clear and complete
4. Net effect of the decision	A long series of paragraphs that provide further information with analysis	To Follow the convention for the following: 1) To provide further information. ii)To provide reaction of the people on the issue iii)To convey newspaper's opinion iv)To help the readers to formulate their own opinion
5. Procedural history of the case	Ending paragraphs describing the happenings of the case in lower courts	To provide information about the history of the case in terms of litigation in the previous courts.

Table 6: Generic Structure of the Newspaper Report

Comparative Analysis of the *Legal Judgment* and the *Newspaper Report*

In this section, I will compare the findings of the analysis of the two texts, the *legal judgment* and the *newspaper report*, in the light of social ideologies that functionally motivate the producers of the texts to write them the way they are written. One obvious explanation for differences is that each text must have happened in a very different social context. And of course that is true: the *legal judgment* is an opinion of the court related to a legal case. A highly specialized writer writes this message. The audiences of this writer share with him the subject specific information about which the general reader is not aware of. As the producer of the *legal judgment* writes in a specific setting for specific audiences, therefore, his text appears to carry influences from the context in which it is produced.

On the other hand, for the *newspaper report*, the contextual dimensions or ideology of the producer significantly differ from the text-producer of the *legal judgment*. The *newspaper report* unfolds itself in a purposefully different manner, as the producer's communicative intent is not to persuade the specialized audience rather to inform and to instruct the general public by taking a role of an informer and instructor as a news reporter. As the context provides the bases of differences in the texts, the examination reveals the following differences in the two texts:

Number of Stages

One obvious difference between the two texts is the number of stages each producer selects in the process of structuring. The *legal judgment* unfolds itself in eleven stages, as the audiences of the *legal judgment* are interested in the details of each aspect of the message in a conventional manner. On the other hand, the *newspaper report* is produced in five stages only since the communicative intent of the producer is to provide information and instruction in a simple, non-technical, concise and clear manner that is understandable for every literate person because his audience is general public. This ideological difference results in the production of relatively much shorter text making the contents manageable in five stages compared to eleven of the *legal judgment*.

Sequencing and Prioritizing of Stages

Another difference that has its roots in social ideologies is sequencing and prioritizing the stages. As mentioned above, the *newspaper report* has only five stages which means that the text producer here has omitted some of the stages to be seen in the *legal judgment*. Moreover, the stages that are common in the *legal judgment* and the *newspaper report* are sequenced differently because the producer of the *newspaper report* has different ideological priorities. For example, the stage of procedural history in the *legal judgment* comes before the middle of the text as it is the fifth stage in the eleven-staged structure. On the other hand, in the *newspaper report,* the procedural history is described in the last stage of the text. The context of the text-producer of the *newspaper report*, in fact, is least interested in the procedural history that results in difference of priority in sequencing the stages.

Content of Stages

Stage 7 of the *legal judgment* can be compared with stage 3 of the *newspaper report* in terms of contents in the stages. Stage 7 of the *legal judgment* is the most detailed one providing reasoning and dealing with the issues in the case. Stage 3 of the *newspaper report* also deals with reasoning and issues but in a different manner. The contents of stage 7 of the *legal judgment* include references to previously decided cases, statutory law and some other legal authorities to substantiate different points raised in argumentation. It does not refer to the views of different sections of society on the issues related to the case. On the other hand, stage 3 of the *newspaper report* while discussing the reasoning and the issues provides quotes of politicians and other members of the society that have persuasive effect upon the readers. So, both these stages have some similarities as well as dissimilarities. Similarities are in terms of the text-producers' attempts to provide information in such a fashion that the readers formulate opinions. Dissimilarities are found in the types of contents provided for the same purpose.

Institutional Conventions in Stages

It is also worth mentioning that stages in both the genres differ in terms of institutional conventions as well. It is institutional convention that the first stage of the *legal judgment* is in the form of caption. In the same way, it is institutional convention that the first stage of the *newspaper report* has a headline. Another example that can be quoted here is that informing the audience about the names of the attorneys, judges and the

judge who writes the opinion is an institutional convention that is a common practice in the production of the types of texts that are similar to the *legal judgment* in this case. In the *legal judgment*, it has been done in stage 3. On the other hand, the name of the reporter appears in between the headline and the body of the text in case of newspaper genres as a matter of a convention of the institution. In the *newspaper report*, we see that stage 2 performs a similar function.

Professional Skills in Stages

Stages in genres of the *legal judgment* and the *newspaper report* reflect difference in professional skills the text-producers have. As the audience of the *legal judgment* is specialized, the text producer's skills in inductive reasoning and citation are evident in different stages produced by him. On the other hand, text producer of the *newspaper report* reveals totally different professional skill in the production of the text. The text produced by the newspaper reporter reveals his mastery in making the contents of the stages reader friendly in terms of style that conveys the message in clear and concise ways without losing completeness in the message. Of course, this marked difference in skills is contextual in nature.

Discussion

The above description of generic structures of two legal texts reveals how texts are different in terms of staging, and the ideological motivations behind the process of staging. Different text producers have different interests in conveying the same message. Although the present research is carried out in the field of description of written legal texts, it significantly differs from the earlier studies reviewed above in the section that deals with the written language of law. In this context, earlier studies have two broad categories: 1) general description of the written language of law, where the linguists describe features of written legal language at different levels like lexical, syntactic and discourse etc., and 2) genre based description of written legal language. The present study is different from the first category because it belongs to the second category. The second category i.e. genre-based studies has different sub-categories as this category encompasses various sub-genres of written legal English: statutes, cases, law review journals and legal textbooks. The present study belongs to the sub-category that deals with cases. To carry out the present study, insights were taken from earlier studies with reference to cases especially in terms of selection of methodology. However, the types of analyses carried out earlier differ significantly from the present study despite having a few similarities at some points. With this regard, details have been provided below:

Similar to the analysis of introduction to research articles produced by Swales (1990), a number of other linguists, Bhatia (1993), Maley (1985), Bowles (1995) and Badger (2003), carried out textual analyses of cases and law reports. Their analyses revealed that the genre of case law consistently displays a typical discourse organization, which is unique to this genre. The present study has some similarities with the earlier research to the extent that insights were taken from these earlier studies in terms of methodology. However, this study is distinct in two ways: 1) earlier studies of Bhatia, Maley, Bowles and Badger deal with a single sub-genre i.e. case law/law reports, whereas the present study is comparative in nature as it takes into account two sub-genres: case law and

newspaper reporting. 2) the studies of Bhatia, Maley, Bowles and Badger describe stages and sub-stages in the organization of the message, whereas the present study takes into account ideological motivations and differences in these motivations behind the structuring of stages as well.

Similarly, the present study also differs from studies carried out by Burnham (2002) and Stratman (2004). This present study describes genric structures of two legal texts in the light of social ideologies that functionally motivate the producers of the texts to write them the way they are written, whereas researches carried out by Burham and Stratman have altogether different angles: Burnham's analysis takes into account the process of reasoning and Stratman critiques linguistic and cognitive approaches to investigating and describing how legal analysts interpret indeterminacy of meaning in legal rules.

Therefore, the present study is distinct in the area of description of written legal genres.

Conclusion

Genre studies have pedagogical implications. Some recent accounts, in this context, are as follows.

Cheng (2007) analyzed three article introductions written by a Chinese-speaking graduate student in electrical engineering. Based on the analysis, Cheng argues that the significance of genre-based learning can be captured more fully through observing how learners recontextualize their genre awareness in their writing. It has been concluded that the goal of genre-based learning may be more productively conceptualized by increasing sophisticated awareness of the rhetorical considerations motivating the generic features. Similarly, a genre analysis was also done on seven first-year tutorials (around 12 hours of discourse) in an academic medical setting by Legg (2007). The analysis identified a consistent structure in all the tutorials. For pedagogical implications, exposure to the identified structure was recommended for the ESL classroom in the Medical Faculty. Another such example is that of Ding's (2007) genre analysis in medical settings. Ding's (2007) analysis has pedagogical implications for writing courses for native and non-native speakers.

As the above mentioned accounts establish that genre studies have pedagogical implications, similarly, studies related to generic structures of legal texts have implications for both text linguists and teachers of English for Specific Purposes (Badger 2003, Bhatia, 1993 and Davie, 1982). In common law countries, law students' academic activities revolve around reading of cases. For fresh law students, reading a case is a difficult task as cases have complex generic structures. Researchers in the field of SLA (Second Language Acquisition) believe that learners should be exposed to language learning situations in a way that they learn things from easy to difficult. Moreover, it is well established in reading theory that knowledge of the genre that one is reading is important, and sometimes essential for understanding (Wallace, 1990; Weaver, 1988). This is why legal language can be difficult for lay readers to understand, while lawyers have less difficulty (Gibbons, 2004: 286).

The findings of this research reveal that the *legal judgment* is significantly more complex than the *newspaper report*. The *newspaper report* is a simple, concise and clear

version of the *legal judgment*. This is because of the fact that the *legal judgment* is written for legal discourse community, whereas the *newspaper report* is for general public.

The present study can be useful for legal English teachers and course designers in a number of ways: One, keeping in view the simple structure of newspaper version of case law, this genre can be a good starting point to study the actual case law (produced by a judge), and therefore, reading of newspaper version of case law should be an integral part of the course contents in developing an English for Academic Legal Purposes (EALP) course. In this context, while sequencing course contents, course designer will make sure that students are exposed to the newspaper version of a judicial opinion prior to their exposure to texts produced by judges. Two, teachers and course designers can make their lessons interesting by making students aware of differences in text types and ideological bases behind these differences. Last, the study provides information how linguists and teachers can analyze texts for pedagogical purposes.

References

Badger, R. (2003). Legal and general: towards a genre analysis of newspaper law reports. In *English for Specific Purposes*, 22 (3): 249-263.

Bhatia, V. K. (1979). *Simplification vs. easificaiton: the case of cases.* MA thesis, University of Lancaster, Lancaster, U.K.

Bhatia, V. K. (1983a). Simplification v. easifiction: the case of legal texts. *Applied Linguistics.* 4 (1): 42-54.

Bhatia, V. K. (1983b). *Applied discourse analysis of English legislative writing*. A research monograph, Language Studies Unit, University of Aston in Birmingham.

Bhatia, V. K. (1987). Language of the Law. In *Language Teaching: The international abstracting journal for language teachers and applied linguists, 18* (2): 228-234

Bhatia, V. K. (1987). Textual-mapping in British legislative writing. *World Englishes,* 6 (1): 1-10.

Bhatia, V. K. (1993) *Analysing Genre: Language Use in Professional Settings*, London: Longman.

Bhatia, V. K. (1994) Cognitive structuring in legislative provisions. In J. Gibbons (Ed.)., *Language and the Law,* London: Longman.

Bowles, H. (1995). Why are newspaper law reports so hard to understand? *ESP Journal*, 14, 201-222.

Burnham, W. (2002). *Introduction to the Law and Legal System of the United States*. St. Paul NM: West Group.

Candlin, C.N., Bhatia, V. K., and Jensen, C. H. (2002). Developing legal writing materials for English second language learners: problems and perspectives. In *English for Specific Purposes*, *22* (1): 299-320.

Cheng, A. (2007). Transferring generic features and recontextualizing genre awareness: Understanding writing performance in the ESP. In *English for Specific Purposes*, 26 (3): 344-367

Crystal, D., and Davy, D. (1969). *Investigating English Style*. London: Longman.

Danet, B. (1980a). Language in the legal process. In *Law and Society Review,* 14: 445-564.

Davie, H. C. M. (1982). Legal cases-Why non-native students are battled. In *English for Specific Purposes.* 68.

Ding, H. (2007). Genre analysis of personal statements: Analysis of moves in application essays to medical and dental schools. In *English for Specific Purposes*, 26 (3): pp.368-392

Feak, C. B., S. M. Reinhart and A. Sinsheimer (2000) A preliminary analysis of law review notes. In *English for Specific Purposes*, 19: 197-220.

Gibbons, J. (2004) Language and the Law. In *The Handbook of Applied Linguistics*, A. Davies and C. Elder (Eds.). Malden, MA: Blackwell Publishing.

Legg, M. (2007). From question to answer: The genre of the problem-based learning tutorial at the University of Hong Kong. In *English for Specific Purposes*, 26 (3):.344-367.

Maley, Y. (1985) Judicial discourse: the case of the legal judgement. Festschrift in honour of Arthur Delbridge. *Beitrage zur Phonatic Linguistik*, 48, 159-173

Mattila, H.E.S. (2006). *Comparative Legal Linguistics*. Aldershot: Ashgate Publishing Limited.

Mellinkoff, D. (1963). *The Language of the Law.* Boston: Little, Brown and Company.

Stratman, J. F. (2004). How legal analysts negotiate indeterminacy of meaning in common law rules: toward a synthesis of linguistic and cognitive approaches to investigation. In *English for Specific Purposes*. 23-57

Swales, J. M. (1990). *Genre Analysis: English in academic and research settings*, Cambridge: Cambridge University Press.

Swales, J. M. (2001). EAP- related linguistic research: An intellectual history. In *Research Perspectives on English for Academic Purposes.* Cambridge: Cambridge University Press.

Thompson, A. (1994). Frameworks and contexts: a genre-based approach to analyzing lecture introduction. In *English for Specific Purposes* 13: 171-86.

Thorne, S. (1997). *Mastering Advanced English Language*. London: Macmillan.

Tiersma, P. M. (1999). *Legal Language*. Chicago: The University of Chicago Press.

Ventola, E. (1987). *The structure of social interaction: A systematic approach to the semiotics of service encounter interaction*. London: Pinther.

Wallace, C. (1990). *Reading.* Oxford: Oxford University Press.

Weaver, C. (1988). *Reading process and practice: from socio-psycholinguistics to whole language.* Portsmouth, H H; Heinemann Educational.

Wickrama, D. U. W. (1982). *Linguistic features of commercial law texts and their pedagogical implications*. M.Sc. thesis, LSU, University of Aston in Birmingham.