

Context as a Pre-Condition for Meaning Fixation in Legal Texts: A Pragma-Contextual Analysis of Human Right Treaty-Based Legislative Text

Ajenifari Joshua Taiwo¹, Awolope Joseph Alaba², Jelili Adewale Adeoye³

¹Directorate of Information and Protocol Ekiti State Judiciary, Ado Ekiti, Ekiti State, Nigeria

²Directorate of Personnel Ekiti State Judicial Service Commission, Ado Ekiti, Ekiti State, Nigeria

³Department of Linguistics and Nigerian Languages, Ekiti State University, Ado-Ekiti, Nigeria

Email: joshuaajenifari@gmail.com, alabaawolope@gmail.com

Abstract:

The imperativeness of contextual nuances to textual meaning fixations has largely remained incontrovertible among scholars across various disciplines, though what counts as context may remain debatable. This paper explored the application of the relevant aspects of Lawal's (2003) pragmatic theory to foreground the contextual inevitability to meaning processing of the treaty-based legislative text of the Universal Declaration of Human Rights document of 1948 as adopted by the United Nations. The research adopted a qualitative approach of analysis with a view to experimenting the applicability of language-based theory of pragmatics to the explication of legal-based text. The research showed that legal texts, as products of linguistic deployments, are not only subject to the context of human conditions, but are also amenable to the application of context-based theory of natural language. It was revealed that the linguistic deployments in any communicative legal text is a function of non-linguistic factors of context such as sociological, historical, psychological, social and cosmological situations of the human parties to the ensuing legal contracts under the circumstance.

Keywords:

Legislative/Legal Text, Context, Pragmatics, Human Rights, Meaning/Interpretation

I. Introduction

Comprehension in communication is said to be impossible in vacuum. The nature and the type of meaning achievable in any communicative event is said to largely depend on who says what, when, where, why and how (Hanafi, 2011:15). So, a particular linguistic expression will potentially be capable of breeding multiple meanings as variations occur in respect of the yardsticks mentioned above. It is those variations that culminate into the differences in the type of meaning attributable to a particular text.

Naturally, a text may be classified as political, literary, religious, funeral, legal etc. text, as the case may be, depending on the context of production. The current paper is set to examine the contextual factors of meaning in the legislative text titled: The Universal Declaration of Human Rights as adopted by the United Nations (UN) in 1948 as a case study of the belief that the field of meaning investigation is a multi-disciplinary one. It is noteworthy that, though the general linguistic designation for the examination of meaning is semantics, which is the systematic study of meaning in language, the methodological processes for coming up with a particular type of meaning call for different theoretical foundations. Thus, referential, image, truth-conditional, speech act, ideational, contextual etc, theories of meaning are identified by Osisanwo, 2003:53 as he affirms contextual and speech act theories

as “the hard core base of pragmatics”. This shows that the two theories are necessarily in complementary relations.

A number of studies have been reviewed in the areas of context-based pragmatic examination of the language of law. These include Alabi's (2003), Damova's (2007), Trosborg's (1991), Alo and Ogungbe's (2012), Ayo and Olaosun's (2012). Investigation reveals that the contextual implications for meaning in legal texts has not been attended to with a particular reference to the application of Lawal's (2003) version of pragma-contextual theory. The general aim of this paper is to demonstrate the theory's efficacy in complementing the findings of earlier theorists/theories with regard to the inevitability of contextual indices in meaning evaluations of legal texts. The specific objectives for achieving this aim are:

- i. to explain and characterize the meaning of context;
- ii. to identify and explain the contextual factors of meaning relevant to the selected legal text;
- iii. to explain the implication of (ii) above for the comprehension/understanding of the text under investigation

II. Review of Literature

The fact that language, law and context are mutually inseparable is hardly debatable especially among legal practitioners and linguists. The importance of the inter-disciplinary nature of language as the inevitable instrument of thought and vehicle of communication in all spheres of human endeavor cannot be overemphasized. This is becoming increasingly evident by the day as it extends its tentacles of relevance into virtually every discipline and every field of endeavours. The legal profession is never an exception. Schane (2008:3) quotes David Mellinkoff as saying that “the law is a profession of words”. Tai Havkin (2008:02) also says that “law and language are inherently intertwined” and, more importantly “law is grounded in language”. The implication of these observations is that the law-language interface is inseparably evident. This is more so when one discovers that both law and language may be said to be cultural artifacts and socially shared behaviours and conventions. While both law and language are forever custodians of culture, norms, traditions and beliefs etc., language, as an instrument of thoughts and a vehicle of ideational transmission, is eternally communication and context bound. To explain the conviction that legal interpretation is also hardly achieved in contextual vacuum, Accetto (2013:240) argues that “the key to the opening of every law is the reason and spirit of the law – it is the “*animus imponentis*”, the intention of the law-maker, expressed in the law itself taken as a whole. Hence, to arrive at the true meaning of any particular phrase in a statute, that particular phrase is not to be viewed... detached from its context in the statute: it is to be viewed in connection with its whole context. It is noteworthy that the emphasis on contextual inevitability in meaning processing is an express claim to a type of meaning which departs from the wider semantic interpretation of language use. But this narrows meaning down to speaker's meaning which is the realm of pragmatics where the core emphasis is on contextual basis of language use.

Adedimeji and Alabi (2003:29-33) refer to pragmatics as one of the five levels of language analysis, whose focal point is to complement the semantic explication of meaning. Therefore, the theorisation of the pragmatic field of meaning inquiries has been said to arise due to the unsustainable limitations of its semantic counterpart. Mey (2001:4) says that the “efforts at establishing a pragmatic approach is said to have dated back to the time when several attempts were made to fill the vacuum created by syntax and semantics in meaning generation”. According to Adekunle (2011:14), “philosophers who were also interested in language discovered that linguistic factors only cannot guarantee good interpretation and so,

non-linguistic factors should be considered in meaning generation". Thus the basic notion of pragmatics is captured by the words of Montague (1968:67) who, saying that pragmatics concerns itself with what is called "indexical expressions", posits that this includes "words and sentences of which the references cannot be determined without knowledge of context of use". The fact therefore remains that pragmatics has to do with the competence of language users in linking sentences with the context or the situation in which they are made in order to arrive at the intended or speaker meaning.

In an attempt to capture the importance of context to pragmatic meaning explication, Olaniyi (2007:51) argues that "beyond the surface structure of linguistic concatenations where illocutionary acts are examined, context is a level of deep structural interpretation of meaning". This may imply that any attempt to explain the meaning of any text will necessarily demand that one goes beyond the surface (graphic or physical) linguistic resources with which the text is constructed, and then dig deep into the hidden background events and/or factors underlying production of the text. It is noteworthy that context, as an inevitable phenomenon in pragmatic explication of meaning, has been variously defined by various Scholars. However, on a more categorical note, citing Oxford English Dictionary, Akman (200:745) recognizes that "the term 'context' usually has two primary meanings:

- (i) the words around a word, phrase, statement, etc. which are "often used to help explain (fix) the meaning" and
- (ii) the general conditions (circumstances) in which an event, action etc takes place.

Given the above, it is generally believed that an expression is taken or quoted out of context if it is considered on its own, and the circumstances in which it was said are ignored. It therefore will be taken to mean something different from the intended meaning. Blakemore's (1982:18) view that pragmatics is a theory of meaning, which represents "a mental structure underlying the ability to interpret utterances in context" corroborates Lawal's (1995:155) argument that pragmatics "is concerned with how interlocutors (speakers and listeners) understand one another in spite of possibly saying what they do not mean or meaning what they do not say".

Legal text/language is said to vary on a wide range of classifications depending on its nature of communicative function (Yasser, 2008:13). However, citing Hiltune (1990:81), Yasser asserts that "there are three different types of legal writing (text) to be distinguished namely;

- (i) academic texts (on law) which consist of academic research journal and textbooks,
- (ii) juridical texts which consist of court judgments or law reports, and,
- (iii) legislative or statutory writings consisting of Acts of Parliaments, contracts, treaties, constitution of a country (Wiredu, 2016:01).

However, irrespective of typology as noted above, Dall'Omo (2012:20) reveals, in terms of nature, that many have "come to the conclusion that legal texts are nothing but informative texts". He not only upholds the view that legal texts'function "may vary according to context and typology" he also argues that if legal texts are:

taken out from their context and put, let's say, in a textbook, the function they acquire is different: the same words and concepts are not there to produce any effect except the one to educate the student. The same is true for doctrine that is commonly included in normative texts but is not productive of judicial effects, at least not directly. So, the function of a legal text does not depend on something intrinsic, but has to be traced back to the communicative situation, the context which produced it and the one that is

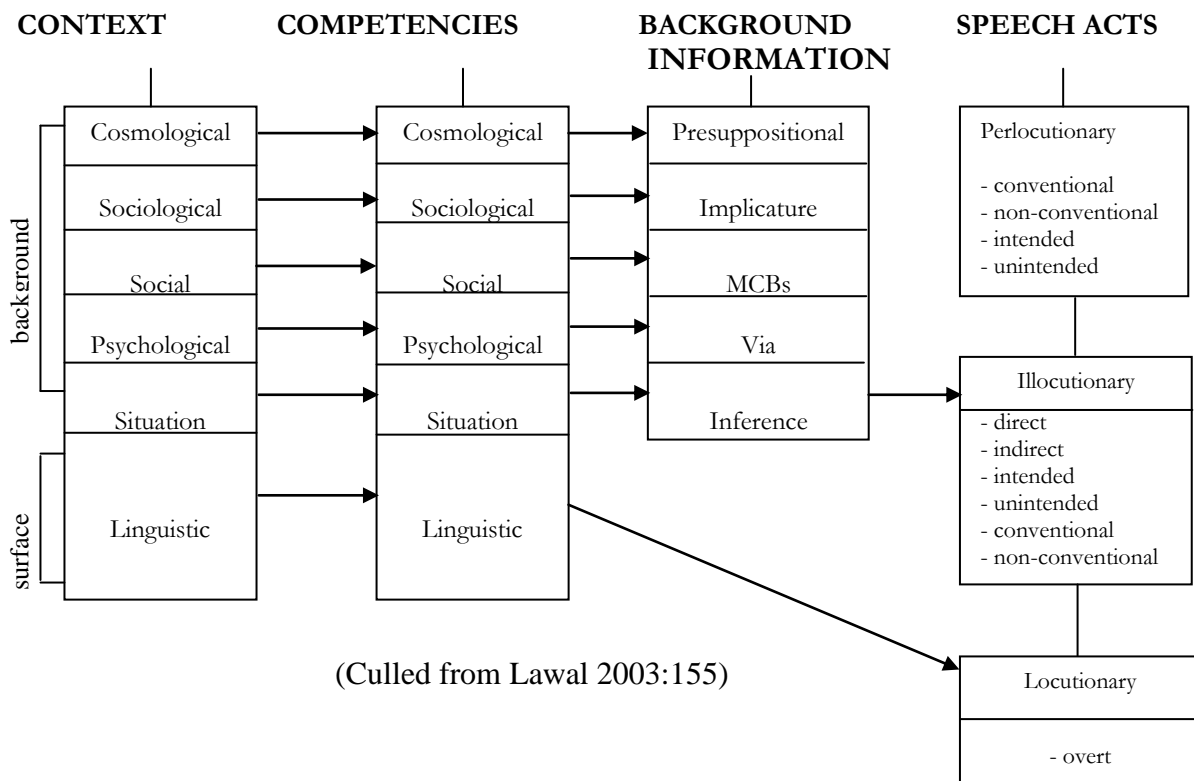
about to receive it.(Dall'Omo, 2012:20-21)

Now, as documents that provide specific legal frameworks for modern international relations and also serve as the main source of international law (Kurukulasuriya and Robinson, 2006:2), treaties are generally regarded as international agreements that guide interrelationships between/among two or more nations. Commenting on the context of Human Rights, Yusuf (2015:3) opines that “the establishment of the International Committee of Red Cross, the 1864 Lieber Code and the first of the General Conversation in 1864 laid the foundations of international humanitarian law”, which is aimed “to be further developed following the two World Wars. According to him, “the origin of modern positive rights in international law may be traced to the creation of the International Labour Organization in 1919 as a Western response to the socialist ideology of the Russian huge losses of lives and gross abuses of human rights that took place during those wars. Yusuf (2015:3) asserts that this was the “driving force behind the development of modern human rights instruments”.

In his view, Regassa (2009:293) opines that “human rights laws developed in reaction to massive state abuse of human beings”. And that “the modern concept of human rights has also drawn impetus from the experiences of World War II (WWII)”. According to Regassa, the modern concept of human rights is “rooted in the experiences of ‘legal lawlessness’ that characterized the activities of some oppressive regimes”. And “in response to such lawlessness, the international human rights regime developed since WWII”. Hence, the philosophy of Human Rights as a concept within the socio-cultural, economic, political and legal milieus is that it is a universal and inalienable property of all humans.

Given that the theoretical framework for this research is Lawal’s (2003) model of the Aspects of a pragmatic Theory, it is important to say that the theory identifies six layers of context of an utterance which are cosmological, sociological, social, psychological, situational and linguistic contexts. The schematic picture of the model is as presented below:

Aspects of a Pragmatic Theory



The Lawal's model presented above recognises two hierarchical structures of an utterance. These are surface and background structures. The surface structure, which is the linguistic structure can be said to be the most basic and fundamental one. This is because, in the similar hierarchical organisation of speech acts constituent of the model, the linguistic rung corresponds with that of the locutionary components. This means that the locutionary act does not only represent the speaker's overt linguistic behaviour, it has as its basis of identification and comprehension the purely linguistic properties of the lexical, phonological, phonetic, morphosyntactic and micro-semantic structures of the sentence(s) employed in an utterance.

The background structure, with all its sub-components of situational, psychological, social and cosmological hierarchical rungs, serves as contextual indices for the derivation of the illocutionary and perlocutionary components of the speech act hierarchies. Also noteworthy is the fact that the illocutionary act which represents the primary level of non-linguistic functions that language users do perform with words may be direct or indirect, intended or un-intended, conventional or non-conventional, subject to the variability of context of communication. The perlocutionary act remains the ultimate level in the speech act hierarchy. It may also be conventional or non-conventional, intended or un-intended outcome of utterances manifesting in the form of generated audience reactions.

In addition to the contextual and speech acts constituents of the model, equally inevitable are the two other constituents of competencies and background information located within the transitional space that exists between the constituents of contexts and speech acts. They represent the processing machines for the transformation of the contextual information into the corresponding speech acts. It will be noted that the contextual components of linguistic, situational, psychological, social, sociological and cosmological give rise to their sameness under the competencies constituent. This means that the participants' range or degree of contextual awareness is directly proportional to degree of his/her competence in encoding and decoding messages of any text be it legislative or not.

The choice of this model as the theoretical basis for analysis in the current work is informed by the researcher's view of the comprehensiveness and high degree of relevance to universality and/or globality of the text under analysis. Osisanwo (2003:109) asserts that "Lawal's model, no doubt is comprehensive enough to accommodate the encoding – decoding process of any utterance ...". According to him:

The context of language is the most fundamental and, it covers such components as the phonological, lexical and syntactic structures of the sentence. Coming next is the situational context, which covers the topic of discourse and factors of the physical event including concrete objects, person and location. The psychological context covers the mood, attitudes, beliefs and the state of the mind of the language user. The next level is the social context which is concerned with interpersonal relations among the interlocutors. The sociological context describes the socio-cultural and historical setting. The cosmological context covers the language user's world view. (Osisanwo 2003:109)

III. Research Methods

Since legislative texts are said to sub-divide into acts of parliaments, contrasts, treaties and the like, the present research chooses to analyze a treaty-based legislative text on human rights. While the office of the United Nations' High Commissioner for Human Rights (2006) affirms fourteen core international human rights treaties, this paper randomly selected one of them for the present analysis. Out of the thirty (30) articles contained in the selected document, purposive sampling method was adopted to select the first ten in combination with the entire preambles of the text for analysis. The study adopted qualitative analytical approach. The relevant aspects of Lawal's (2003) model of the *Aspects of a Pragmatic Theory* are recourse in exploring the contextual factors that are deemed inevitably applicable to the comprehension and interpretation of the texts. The analysis of the data only focused on the sociopragmatic aspect of the adopted theory. The data is as presented below:

Universal Declaration of Human Rights
Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December
1948

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and the security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

IV. Results and Discussion

The contextual indices to be isolated for analysis include situational context, psychological context, social-cultural context, cosmological context and social context. The analysis goes thus:

4.1 Situational Context

One observes that the situation in which the authors of the text found themselves called for their deliberation on the topics which formed the subject matter of the texts. A situation that demanded urgent legal and socio-political reform. It was the worrisome post war era. This was the situation that led to the establishment of the International Committee of Red Cross, the 1864 Lieber Code and the first of the General Convention in 1864 that laid the foundations of international humanitarian law etc, as a Western response to check the losses of life and buses of human rights that took place during those wars. Hence the driving force

behind the development of modern human rights instruments was the intention to reorder the society from the state of anarchy. Therefore, it may be said that the situation surrounding the production of the texts under the present analysis was one of the loss of confidence in the system and the leadership of the time.

This unavoidably led to the collective decision of the people to pass a vote of no confidence on the existing order of lawlessness, jungle justice, misplaced priorities, the regime of the survival of the fittest, anarchism and the sorry states of the inhumanity of man against man. The people then were therefore in the psychological moment of taking their destinies into their hands by collectively condemning the repressive and oppressive powers that be and wield their collective sovereignty as a people to usher in a new dispensation of justice, democracy, fair play and respect for human dignity. This is the situation both at the national and international levels and, mankind is in a dire quest of peace on earth. Therefore, it may be concluded that the basis for the enactments of human rights laws was to secure the international instrument operational in appropriate circumstances to check the excesses of the human conducts and for the ordering of a fair social order.

4.2 Psychological Context

It is clear from the historical background that the authors of the texts under the present analysis, as well as the world for whom and to whom they are saddled to write are in dire need of peace, justice, tranquility and a serene dispensation of social order. They are a generation of the Homo Sapiens who are, by sheer providence, the lucky survivors of a regrettable genocidal war of a fractional caucus of the human race against the rest of the fellow human race. Therefore, from the themes of their messages, beginning from the titles, one can see in them a people enmeshed in an apolitical sober reflection, and a people collectively struck with a psychological trauma that demands a nostalgic reminiscence of the universal umbilical cords that binds the human race as an indivisible family without regard to race, colour, language, sex, age, socio-economic and cultural leanings as well as any other human demographic factors. For the first time, in the history of humanity, human beings across all boundaries are called to a conference of agape brotherhood, where the only basis for and of fraternity is not any other than the very first description and prescription of the creator himself – man in our own image and after our own likeness.

4.3 Socio-Cultural Context

From the point of view of both the situational and psychological contexts discussed above, one can glean the realities of the socio-cultural context that bears upon the production of the documents under the current study. It is a dispensation for the unification of the human race as an indivisible entity. A homo-socio-cultural order of a world/society that is prepared to remove every seen and imagined barrier against the human progress, and against every form of discrimination and egotistic strife of the class society.

4.4 Cosmological Context

This has to do with the world-view of the participants in all angles as it bears upon the drafting of the documents. It is no doubt that one can say that the cosmological landmarks that produce the texts cannot be unconnected with the universalistic tendencies of brotherhood, the quest for peace and a war free human society. These underlay a people-centered (and not-self-centered) democracy as well as its accompanying ingredients of rule of law, equality, justice, freedom, fairness, transparency, which typify the spirit and letters of the text

These all come into play in the effort to enthrone and sustain a just and civilized society. That is, a society where no one will again be unjustly treated; a society, where the will of the people will forever be the basis of the government of the people and, for governance in principle; a society, where the judiciary will be the last hope of the common man; a society, where there will be the greatest happiness of the greatest number of the human race; and, a society, where the triumph of light and rationality over those of darkness and irrationality will reign supreme and remain the paradigmatic orientation of the human society.

4.5 Social Context

From Glendon's (2004) assertion as cited above, it could be concluded that there was mutual relationship among people and their representatives, as well as between the United Nations' Member States and the United Nations itself cum its eighteen-member Multinational Human Rights Commission. And as the parliament/parliamentarians of any government of any country and the sub-components thereof (States or component units), these parliamentarians are the bona fide representatives of their people on whom their acts are validly binding. So also, the same can be said of the United Nations and any of its sub-components (such as the United Nation's Human Rights Commission) whose decisions are as well binding upon the member states of the United Nations. The realities of all these social relationships are reflected in the style of language use as analyzed in the next sub-section below – the linguistic context.

4.5 Linguistic Context

It has been noted that language and context are so intricately interwoven that a piece of language can create its own context and, in the other way round, certain social context of language use also necessitate its own language choices. Hence, the linguistic context of the data under this study is premised upon two mutually inclusive linguistic thoughts. On the one hand, which is the most general and universalistic view, the linguistic context is premised on the basic competence in English language taking into view all the levels and units of grammatical analysis from morpheme, which is the smallest level of grammatical analysis, through word, phrase, clause and to sentence. These are coupled with all the levels of language analysis, such as graphology, morphology, lexis, syntax and the rest.

On the other hand, the linguistic context of the data is also predicated upon the linguistic choices of the drafters as duly informed and necessitated by the glaring trend and demands of the moment as at the time of the drafting exercise. This is being dictated by the nature and dimensions of events in the world as a polity then. The linguistic context is therefore tripartite in nature namely: the basic English language competence as the foundational and primary basis, the world's events and motive for the drafting and, the linguistic peculiarities of the language of law as a sub-unit of the human activities. This is where it can be concluded that the overall linguistic context of the documents is a confluence of the theoretical linguistic competence and pragmatic employment of language resources of the English language as a communication code. Following from the situation, psychological socio-cultural, cosmological and linguistic contexts as explained above, it can be said that quite a number of contextual facts are not only implicated but also presupposed in our texts. They are as indicated below:

One, the forum/platform that produced the texts is an international law-making platform/forum. The participants are legitimate representatives from each states/countries that form the international union/organization called the United Nations. The convergent nations/participants have collective past and present bitter socio-political experiences which

demand urgent redress. The participants have resolved among themselves to fashion out documents/covenants/agreements out of mutual/common understanding which will be capable of restoring a new socio-political order that will guarantee their collective happiness in brotherhood and generate a new concept of humanity. The issues to be resolved in these agreements/covenants are multi-dimensional. Hence, the nature and the tones of the titles, riders, enacting clauses as well as the preambles and the overall linguistic usages in all the texts. Hence, we have the following extracts to be cited from the texts:

- **Title:** Universal Declaration of Human Rights
- **Rider:** *Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948*
- **Preamble**

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

*Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,
Whereas it is essential to promote the development of friendly relations between nations,*

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,
Now, therefore,*

- **The participant(s)** (who constitute the enacting authority): *The General Assembly,*
- **The enacting clauses** (which really represents the reason/theme and outcome of the legislative text is as follow):

The text, having featured the expression “**The General Assembly**” as the subject (who represents the enacting authority or the issuers of the texts), employs the enacting clause as follows:

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

It is noteworthy that the titles, riders, participants, enacting clauses, as well as preambles as cited above help us in situating the texts under the appropriate circumstances in which they are produced and, hence, help us to ascribe the appropriate meanings to the texts. In all the excerpts above therefore, certain elements can be pointed out: the preamble is the evidence that attest to the fact that certain pieces of background information, events, circumstances, occurrences and necessities constitute the extra-linguistic pre-conditions that form the bases for mutual operations among the stakeholders to the concerned documents. This is why it is generally believed that legislative documents of this nature are products of the prevailing contextual realities in the moment of their enactment. Certain expressions in the preambles presuppose these realities, making it sane for the relevant authorities to converge and do the needful

On the note of linguistic context, a great deal of implications and presuppositions can be deduced suggesting the socio-political order that call for authorial intention of the text. Hence, expressions such as the enacting clause as cited above and, the special use of modal and proper verbs as cited below:

'Proclaims; is entitled; has the right to; shall be directed to; may be interpreted as; may in no case be exercised; are entitled to; may be compelled to; have the right to etc.,

The above is part of the testimonies for the legal-political 'rights' implications of the moment of the productions of the texts concerned

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