







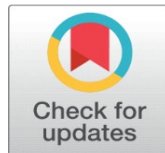
# SPECIALISED COMMUNICATION: A GENRE- BASED ANALYSIS AND STRATEGIES IN PRESIDENTIAL ELECTION PETITION TRIBUNAL JUDGMENTS BY THE SUPREME COURT OF NIGERIA

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## ABSTRACT

This study examines the specialized communication patterns in Nigerian Presidential Election Petition Tribunal judgments through a genre-based analysis framework. Using Halliday's Generic Structure Pattern (GSP) as the theoretical foundation, the research analyzes the linguistic features, rhetorical strategies, and structural elements that characterize this specialized legal discourse. The study focuses on the 2023 Presidential Election Petition cases, particularly the Supreme Court judgment in *Atiku v. INEC* (No. 2) [2023] 19 NWLR, to identify recurring patterns and develop a comprehensive GSP equation for this genre. The findings reveal a systematic structure comprising both obligatory and optional elements that serve specific communicative functions within the Nigerian legal system. This research contributes to the understanding of legal discourse in post-colonial contexts and provides insights into how specialized communication operates within institutional frameworks.

**Keywords:** Genre Analysis, Presidential Election Petitions, Legal Discourse, Halliday's GSP, Nigerian Jurisprudence, Specialized Communication

## 1. INTRODUCTION

The intersection of language and law has long been a subject of scholarly inquiry, particularly in understanding how legal institutions construct meaning through specialized discourse [Bhatia \(2004\)](#), [Tiersma \(2008\)](#). In Nigeria, Presidential Election Petition Tribunal judgments represent a unique form of specialized communication that operates within the complex framework of

constitutional democracy and legal precedent. These judgments serve not only as legal determinations but also as institutional communications that shape democratic discourse and electoral legitimacy.

The significance of analyzing Presidential Election Petition Tribunal judgments extends beyond mere linguistic curiosity. These texts function as critical components of Nigeria's democratic architecture, providing authoritative interpretations of electoral law and constitutional provisions that govern the highest office in the land. The 2023 general elections, which resulted in multiple presidential petitions, offer a particularly rich corpus for examining how legal language constructs authority, legitimacy, and institutional power.

This study employs Halliday's Generic Structure Pattern (GSP) framework to analyze the communicative strategies and structural elements that characterize Presidential Election Petition Tribunal judgments in Nigeria. The research addresses a significant gap in the literature on African legal discourse, particularly in the context of electoral jurisprudence. While previous studies have examined various aspects of legal language in Nigeria [Opeibi \(2012\)](#), [Daniel \(2021\)](#), none have specifically focused on the genre characteristics of Presidential Election Petition Tribunal judgments.

### 1.1. RESEARCH OBJECTIVES

The aim of this study is to examine the specialized communication patterns in Nigerian Presidential Election Petition Tribunal judgments. The objectives are to:

- 1) identify and analyze the generic structure of Nigerian Presidential Election Petition Tribunal judgments using Halliday's GSP framework.
- 2) develop a comprehensive GSP equation that captures the obligatory and optional elements of this specialized genre.
- 3) examine the linguistic features and rhetorical strategies employed in these judgments.
- 4) investigate how these textual elements contribute to the construction of legal authority and institutional legitimacy contribute to the broader understanding of legal discourse in post-colonial African contexts.

### 1.2. RESEARCH QUESTIONS

The study addresses the following research questions:

- 1) What are the obligatory and optional structural elements that constitute the generic structure of Nigerian Presidential Election Petition Tribunal judgments?
- 2) How can Halliday's GSP framework be applied to formalize the structure of these judgments into an established structure?
- 3) What linguistic features and rhetorical strategies characterize this specialized legal discourse?
- 4) How do these textual elements function to construct legal authority and institutional legitimacy within the Nigerian democratic context?

## **2. LITERATURE REVIEW**

### **2.1. GENRE ANALYSIS AND LEGAL DISCOURSE**

Genre analysis has emerged as a powerful framework for understanding how texts function within specific social and institutional contexts (Swales, 1990; Bhatia, 1993). In the legal domain, genre analysis has been particularly valuable in revealing how legal texts construct meaning, authority, and institutional power through systematic linguistic choices [Maley \(1994\)](#), [Bhatia \(2004\)](#).

The application of genre analysis to legal discourse has revealed that legal texts are not merely neutral repositories of legal rules but are actively constructed communications that serve specific institutional functions [Goodrich \(1987\)](#), [Tiersma \(2008\)](#). Legal judgments, in particular, represent a complex genre that must balance multiple communicative functions: explaining legal reasoning, establishing precedent, maintaining institutional authority, and providing guidance for future cases [Heffer \(2005\)](#).

### **2.2. HALLIDAY'S GENERIC STRUCTURE PATTERN (GSP)**

Halliday's Generic Structure Pattern, developed within the framework of Systemic Functional Linguistics (SFL), provides a systematic approach to analyzing the structural organization of texts Halliday and Hasan (1985), [Hasan \(1984\)](#). The GSP framework identifies both obligatory and optional elements within a genre and specifies their sequential relationships through formal notation.

The GSP approach has been successfully applied to various legal genres, revealing systematic patterns in how legal texts organize information and construct meaning [Bhatia \(1993\)](#), [Maley \(1994\)](#). Recent studies have demonstrated the effectiveness of GSP analysis in understanding complex legal texts, including judgments and statutory instruments [Daniel \(2021\)](#), [Pramoolsook and Dalimunte \(2020\)](#).

### **2.3. LEGAL DISCOURSE IN NIGERIA**

The Nigerian legal system, inherited from British colonial administration, presents unique characteristics that reflect the intersection of common law traditions with local contexts and post-colonial realities [Elias \(1972\)](#), [Osinbajo \(2001\)](#). Studies of Nigerian legal discourse have revealed distinctive features that reflect this complex heritage while addressing contemporary legal challenges [Opeibi \(2012\)](#), [Adebayo \(2015\)](#). Presidential Election Petition Tribunals in Nigeria operate within a specialized framework established by the 1999 Constitution and the Electoral Act 2022. These tribunals serve as the primary mechanism for resolving disputes arising from presidential elections, making their judgments particularly significant for understanding how legal discourse functions in the context of democratic governance [Nwobike \(2008\)](#), [Suberu \(2015\)](#).

### **2.4. ELECTION PETITION JURISPRUDENCE**

The jurisprudence surrounding election petitions in Nigeria has evolved significantly since the return to democratic governance in 1999. The courts have developed sophisticated doctrines regarding the burden of proof, admissibility of evidence, and the interpretation of electoral laws [Agbakoba and Ogbonna \(2004\)](#), [Jinadu \(2007\)](#).

The 2023 general elections marked a significant development in Nigerian electoral jurisprudence, with the introduction of new technologies and procedures that required judicial interpretation. The resulting judgments provide valuable insights into how legal discourse adapts to technological and procedural innovations while maintaining institutional continuity [Policy and Legal Advocacy Centre \(PLAC\). \(2024\)](#).

### 3. THEORETICAL FRAMEWORK

This study is grounded in Halliday's Systemic Functional Linguistics (SFL), particularly the Generic Structure Pattern (GSP) framework developed by Ruqaiya Hasan (1984). The GSP framework provides a systematic approach to analysing the structural organization of texts within their social and institutional contexts.

Primarily, SFL views language as a social semiotic system that constructs meaning through systematic choices across three metafunctions: ideational (representing experience), interpersonal (enacting relationships), and textual (organizing discourse) [Halliday \(1994\)](#). This framework is particularly suited to analyzing legal discourse because it focuses on how language functions to achieve specific social purposes within institutional contexts.

The GSP framework as a model of SFL identifies the structural resources available within a given genre, specifying both obligatory and optional elements and their sequential relationships [Hasan \(1984\)](#). The framework employs formal notation to represent these relationships:

- ^ indicates sequence
- () indicates optionality
- [] indicates choice
- { } indicates iteration
- . indicates multiple options

#### 3.1. APPLICATION TO LEGAL JUDGMENTS

Legal judgments represent a complex genre that must fulfill multiple communicative functions while adhering to institutional conventions and legal requirements. The GSP framework provides a systematic approach to identifying how these functions are realized through structural organization and linguistic choices.

### 4. METHODOLOGY

#### 4.1. RESEARCH DESIGN

This study employs a qualitative research design using genre analysis as the primary analytical framework. The research combines textual analysis with institutional context analysis to provide a comprehensive understanding of how Presidential Election Petition Tribunal judgments function as specialized communication.

#### 4.2. DATA COLLECTION

The primary data for this study consists of Presidential Election Petition Tribunal judgments from the 2023 Nigerian general elections. The corpus includes:

- 1) **Primary Text:** Atiku v. INEC (No. 2) [2023] 19 NWLR - Supreme Court judgment (190 pages)
- 2) **Supporting Texts:** Related Court of Appeal judgments from the Presidential Election Petition Tribunal
- 3) **Contextual Materials:** Electoral Act 2022, relevant constitutional provisions, and INEC guidelines

### 4.3. DATA ANALYSIS

The analysis follows a systematic approach based on the GSP framework:

- 1) **Structural Analysis:** Identification of obligatory and optional elements.
- 2) **Sequential Analysis:** Mapping the order and relationships between elements.
- 3) **Functional Analysis:** Examining how each element contributes to the overall communicative purpose.
- 4) **Linguistic Analysis:** Analyzing the linguistic features that realize each structural element.
- 5) **GSP Formulation:** Developing a formal equation that captures the generic structure.

## 5. ANALYSIS AND FINDINGS

### 5.1. STRUCTURAL ANALYSIS OF PRESIDENTIAL ELECTION PETITION TRIBUNAL JUDGMENTS

The analysis of the Supreme Court judgment in Atiku v. INEC (No. 2) reveals a systematic structural organization comprising both obligatory and optional elements. This structure reflects the institutional requirements of legal judgment writing while accommodating the specific needs of electoral jurisprudence.

#### 5.1.1. OBLIGATORY ELEMENTS

The analysis identifies seven obligatory elements that appear consistently in Presidential Election Petition Tribunal judgments:

- 1) **Case Identification (CI)** This element provides essential bibliographic and procedural information, including: - Full legal citation - Parties to the case (appellants and respondents) - Court hierarchy and jurisdiction - Date of judgment - Appeal

numbers and references Example from the corpus:

- "[2023] 19 NWLR Atiku v. I. N. E. C. (No. 2) 29 December 2023 "

- 2) **Procedural History (PH)** This element traces the litigation history and establishes the court's jurisdiction:- Lower court proceedings - Previous judgments and appeals-Procedural steps and timelines - Jurisdictional basis for the current proceedings.
- 3) **Facts Presentation (FP)** This element establishes the factual foundation for legal analysis:- Election background and results - Grounds of petition-Relief sought by petitioners - Responses by respondents.
- 4) **Issues Formulation (IF)** This element identifies the legal questions requiring determination:- Issues distilled by parties-Legal and

- constitutional questions - Procedural and substantive matters-Hierarchy and relationship between issues
- 5) 5) Legal Framework (LF) This element establishes the applicable legal authorities:- Constitutional provisions - Statutory requirements - Binding precedents - Legal principles and doctrines
  - 6) Analysis and Reasoning (AR) This element provides the court's legal reasoning:- Application of law to facts-Interpretation of statutory provisions-Analysis of precedent cases-Logical argumentation and conclusions
  - 7) Holding and Disposition (HD) This element states the court's decision and orders:- Findings on each issue - Final judgment - Specific orders and directions - Costs and other ancillary matters

### 5.1.2. OPTIONAL ELEMENTS

The analysis also identifies several optional elements that may appear depending on the specific circumstances of the case:

- 1) Preliminary Applications (PA)-Motions for fresh evidence- Jurisdictional Challenges-Procedural Objections-Interlocutory applications
- 2) Obiter Dicta (OD)- Judicial observations and commentary - Policy recommendations - Professional conduct observations - Broader legal or social commentary
- 3) Dissenting Opinions (DO)- Alternative judicial views - Minority positions - Separate concurring opinions

## 5.2. GENERIC STRUCTURE PATTERN EQUATION

Based on the structural analysis, the following GSP equation emerges for Nigerian Presidential Election Petition Tribunal judgments:

$$GSP = CI \wedge PH \wedge FP \wedge (PA) \wedge IF \wedge LF \wedge AR \wedge (OD) \wedge HD \wedge (DO)$$

Where: - CI = Case Identification (obligatory) - PH = Procedural History (obligatory) - FP = Facts Presentation (obligatory) - PA = Preliminary Applications (optional) - IF = Issues Formulation (obligatory) - LF = Legal Framework (obligatory) - AR = Analysis and

Reasoning (obligatory) - OD = Obiter Dicta (optional) - HD = Holding and Disposition (obligatory) - DO = Dissenting Opinions (optional) -  $\wedge$  = sequence indicator - ( ) = optionality marker

This equation represents the systematic structure that characterizes Presidential Election Petition Tribunal judgments in Nigeria, providing a formal representation of how these specialized texts organize information and construct legal meaning.

## 5.3. LINGUISTIC FEATURES ANALYSIS

### 5.3.1. REGISTER AND FORMALITY

Presidential Election Petition Tribunal judgments in Nigeria are characterized by a highly formal register, reflecting the serious and authoritative nature of judicial decision-making. This formality manifests in several key linguistic features.



Technical legal terminology is extensively employed throughout the judgments. The judges use specialized legal vocabulary that would be familiar primarily to legal professionals. For example, terms such as *sui generis* (meaning unique or of its own kind), *ratio decidendi* (the legal principle or rationale underlying a court's decision), and *obiter dicta* (remarks or observations made by a judge that are not essential to the decision) abound in the text. In the well-known 2019 Presidential Election Petition judgment, the tribunal detailed the *ratio decidendi* by stating, "The court's holding is *sui generis* given the unprecedented nature of the electoral challenge."

The sentence structures are notably formal and complex, frequently incorporating multiple embedded clauses that underscore the careful reasoning process. For instance, a sentence might read: "Where the petitioner fails to establish, beyond reasonable doubt, that the irregularities complained of substantially affected the outcome, the tribunal shall dismiss the petition." Such syntax both conveys precision and mirrors the legal thought process.

An impersonal voice predominates—passive constructions and third-person references minimize subjectivity. Instead of writing "We find that the votes were tampered with," a judgment would state, "It is found that the votes were tampered with," thereby emphasizing objectivity and detachment.

Finally, the tone throughout these documents is decidedly authoritative. The tribunal makes declarative assertions with certainty, often writing, "The provisions of Section 134 of the Constitution clearly mandate that the winner of the presidential election must secure not only the majority of votes but also at least 25% of votes in two-thirds of states." This authoritative stance reinforces the weight and finality of the decisions.

### 5.3.2. INTERTEXTUALITY

These judgments are rich in intertextual references, linking the current case to a wider legal framework and precedent:

The tribunal systematically cites case law, referring to previous landmark decisions to ground its rulings. For example, the judgment might reference *Ahmed v INEC (2011)* to illustrate the application of evidence-based standards in election petitions.

Statutory references are meticulously detailed, with the tribunal quoting constitutional provisions and relevant electoral laws verbatim. For instance, the judgment may cite Section 285 of the 1999 Nigerian Constitution on election petition timelines, noting, "Pursuant to Section 285(9) of the Constitution, the tribunal must dispose of the petition within 180 days from the date it was filed."

Cross-referencing within the judgment links different parts of the text, guiding the reader through arguments and evidence. A passage might state: "As demonstrated in paragraph 45 above, the petitioner failed to present credible documentary evidence."

The judgments also acknowledge hierarchical judicial authority, consistently recognizing the supremacy of decisions from superior courts such as the Supreme Court and affirming the apex position of the Constitution. This is often reflected in phrases like, "In line with the ruling of the Supreme Court in *Akande v INEC*, this tribunal is bound by the doctrine of *stare decisis*."

### **5.3.3. RHETORICAL STRATEGIES**

The tribunal employs several key rhetorical strategies to persuade and assert the legitimacy of its decisions:

The appeal to authority figures prominently. The tribunal anchors its reasoning in constitutional supremacy, frequently citing the Constitution as the ultimate source of electoral jurisprudence. For example, the tribunal might write, "Considering Section 134(2) of the Constitution, which prescribes the requirements for the election of a president, this tribunal must uphold the constitutional mandate." Additionally, it references binding precedents from superior courts and well-established legal principles like *ubi jus ibi remedium* (where there is a right, there is a remedy), lending weight to its conclusions.

Logical argumentation is meticulously constructed, often adopting a syllogistic form where a general principle is stated, applied to facts, and a conclusion drawn. For example, "If electoral irregularities substantially affect the result (major premise), and such irregularities cannot be established in this case (minor premise), then the petition must fail (conclusion)." The tribunal also applies legal tests step-by-step, such as the test for substantial non-compliance with the Electoral Act, elucidating cause-and-effect relationships in its reasoning.

The tribunal's institutional voice dominates the text. Instead of reflecting personal opinions, the judgment speaks for the judicial institution as a whole. This collective voice reinforces judicial continuity and impartiality, often through expressions like "this tribunal holds" rather than "I hold." The language conveys dignity and professionalism, reinforcing public confidence in the judiciary's neutrality.

## **5.4. FUNCTIONAL ANALYSIS**

### **5.4.1. COMMUNICATIVE FUNCTIONS**

Presidential Election Petition Tribunal judgments fulfill multifaceted communicative functions critical to Nigeria's electoral and legal systems:

First, there is the adjudicative function. The judgments resolve specific legal disputes regarding the validity of presidential elections. By carefully applying electoral laws to the facts presented, the tribunal decides whether the declared election winner was validly elected. For instance, in the 2015 presidential petition, the tribunal determined that the purported irregularities alleged by the petitioner did not meet the threshold to overturn the election result, thereby affirming the declared winner's legitimacy.

Second, these judgments serve a precedential function by establishing and clarifying legal principles for future cases. Through detailed statutory interpretation and reasoned exposition, they shape electoral jurisprudence. For example, the 2019 judgment further refined the threshold for proof of substantial non-compliance with electoral laws, influencing how future petitions should be evaluated.

Thirdly, they have an institutional function—upholding judicial authority and legitimacy. By demonstrating adherence to constitutional principles and procedural fairness, the tribunals reinforce the integrity of the judiciary and, by extension, Nigeria's constitutional democracy. The judgments frequently emphasize that electoral disputes must be resolved within the rule of law rather than by extra-legal means.



Lastly, these judgments have a pedagogical function, educating legal practitioners, political actors, and the broader public. They elucidate complex constitutional provisions and legal tests in accessible language, guiding future electoral conduct and litigation. For example, the tribunal might explain why certain evidence was inadmissible, thereby providing useful lessons for lawyers preparing subsequent petitions.

#### **5.4.2. IDEOLOGICAL FUNCTIONS**

Beyond their practical legal purposes, the judgments serve important ideological functions that support democracy and the rule of law:

They contribute to democratic legitimation by affirming the validity of electoral outcomes or thoroughly explaining reasons for their annulment, thus reinforcing faith in democratic processes. They uphold the rule of law by consistently emphasizing that legal norms and constitutional provisions, not political considerations, govern electoral disputes. They also maintain institutional authority by positioning the judiciary as an impartial arbiter capable of resolving even the most politically charged cases, thereby stabilizing democratic governance. Finally, they reaffirm constitutional supremacy, making clear throughout that the Constitution is the ultimate legal framework guiding Nigeria's electoral system.

### **6. DISCUSSION**

#### **6.1. IMPLICATIONS FOR LEGAL DISCOURSE ANALYSIS**

The findings of this study have significant implications for understanding legal discourse in post-colonial contexts. The GSP equation developed for Presidential Election Petition Tribunal judgments reveals how legal institutions adapt inherited common law traditions to address contemporary democratic challenges.

The systematic structure identified in these judgments reflects the tension between institutional continuity and adaptive innovation that characterizes post-colonial legal systems. While the basic framework follows established common law patterns, the specific content and emphasis reflect uniquely Nigerian constitutional and electoral contexts.

#### **6.2. THEORETICAL CONTRIBUTIONS**

This study makes several significant theoretical contributions to the fields of genre analysis and legal discourse studies, particularly in the context of specialized legal texts such as Presidential Election Petition Tribunal judgments in Nigeria.

Firstly, it demonstrates the effectiveness of Halliday's Systemic Functional Linguistics framework, especially the General System of Process (GSP), in analyzing complex legal texts within African contexts. The application of GSP allows for a nuanced understanding of how legal language operates at different levels, capturing the intricate interplay between language functions, structure, and meaning in a way that previous studies on legal discourse in Western contexts did not fully address. This study fills a notable gap and validates the versatility of GSP in diverse linguistic and legal environments.

Secondly, the research provides a detailed specification of a legal genre that had previously remained unanalyzed. Presidential Election Petition Tribunal judgments represent a specialized sub-genre within legal discourse that blends technical legal argumentation with institutional imperatives unique to electoral disputes in Nigeria.

Thirdly, this study develops a formal mathematical equation designed to capture the structural complexity inherent in specialized legal discourse. This innovative approach offers a novel methodological tool that quantifies features such as clause embedding, reference patterns, and intertextuality, providing an objective and replicable means of analyzing legal texts' complexity. This has helped the study to pioneer a bridge between qualitative linguistic analysis and quantitative modeling, opening up new avenues for interdisciplinary research in linguistics, law, and computational text analysis.

Lastly, the study contributes to cross-cultural analysis by exploring how legal genres function within different cultural and institutional contexts. Nigeria's unique legal framework, rooted in both English common law traditions and indigenous socio-political realities, shapes the style and function of tribunal judgments in distinctive ways. The comparison of these findings with existing research on legal genres in other jurisdictions has deepened our understanding of how cultural and institutional factors influence legal discourse. This cross-cultural perspective is especially valuable for scholars, legal practitioners, and policymakers involved in comparative law and discourse studies.

## 7. CONCLUSION

This study has provided a comprehensive genre-based analysis of Nigerian Presidential Election Petition Tribunal judgments using Halliday's Generic Structure Pattern framework. The research has identified a systematic structure comprising seven obligatory elements and three optional elements, formalized in the GSP equation:

$$CI \wedge PH \wedge FP \wedge (PA) \wedge IF \wedge LF \wedge AR \wedge (OD) \wedge HD \wedge (DO)$$

The analysis reveals that these judgments function as complex communicative acts that serve multiple institutional and social functions beyond mere legal adjudication. They construct and maintain judicial authority, contribute to democratic legitimacy, and provide guidance for future electoral conduct. The linguistic features identified in these judgments reflect the specialized nature of electoral jurisprudence while maintaining continuity with broader common law traditions. The systematic use of formal register, extensive intertextuality, and sophisticated rhetorical strategies demonstrates how legal institutions construct meaning and authority through specialized discourse.

This research contributes to the growing body of literature on legal discourse in African contexts and demonstrates the value of systematic genre analysis in understanding how legal institutions function through language. The GSP equation developed in this study provides a formal framework for analyzing similar texts and could be adapted for comparative studies across different jurisdictions.

The findings have important implications for legal education, judicial training, and cross-cultural legal communication. As Nigeria continues to develop its democratic institutions, understanding how legal discourse functions to construct and maintain institutional authority becomes increasingly important for both scholars and practitioners.

Future research should expand the corpus to include additional judgments and explore comparative dimensions with other common law jurisdictions. Longitudinal studies could reveal how this genre evolves in response to changing political and technological contexts. Additionally, investigation of how these

judgments are received and interpreted by different audiences could provide insights into their broader social and political functions.

### **CONFLICT OF INTERESTS**

None.

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None.

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