
A Critical Linguistic Analysis of Court Judgements on Dr. Orji Uzo Kalu's Prosecution

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Abstract

The past few decades saw a growing interest in the study of the relationship between language and law. This study attempts a systemic functional linguistic investigation of court judgement on Dr Orji Uzo Kalu's indictment in a criminal case of corruption and money laundering. Systemic functional linguistics (SFL), the world of experience has three different forms of representation each realized by three different process types. Because different transitivity choices achieve different communicative effects, we expect the distribution process to vary according to domain, genre and context. The study explored the transitivity choices and patterns of language in relation to power in legal discourses. Using Halliday's (1994) systemic functional linguistics (ideational metafunction) as a theoretical base, the paper explored the federal and the Supreme Court judgment texts randomly selected and retrieved from the courts' website. The frequency of occurrence in the representation of ideational processes and participants were tabulated for the comparison of the processes in the analysed linguistic units. Findings reveal that the verbal process was used mostly by the court judges, in different modes of speech such as; commanding, stating or asking. It shows that the process was used mostly by the court as a way of highlighting how linguistic investigation of legal document can represent the true ideology of

the judgement to the reader, as well as the significance of the stance taken by the court throughout the whole judgement both at the federal the Supreme courts. The study recommended for more research in the critical area of judicial interpretation as well as the involvement of forensic linguistic experts in the criminal justice system of Nigeria.

Keywords: functional linguistics, ideational, judgement, process, discourse

1. Introduction

Language generally is a means of communication which has a tremendous influence on the life of an individual. There are however variations in the use of language which shows their multiple dimensions; language of law or language in the legal system are part of it. Language can be used to express sentiments, grief, attitude, comfort, points of view, which can be written or spoken. From a functional perspective, the relationship between language and society has been in existence in very early ages. According to Halliday (1964, 1994) systematic functional linguistics has in recent times provided a scientific, informative, useful, and explanatory framework on the relationship between the internal structures of language, external relations associated with the phenomenon being analysed as well as the investigation of language as strategic meaning making resource.

In Halliday's (1994) metafunctions, ideation revolves around people's experience and perceptions of reality, physical material, as well as the symbolic interpretations of their experiences. The content of ideation is also concerned with not only the activities of the discourse, but also the individuals participating in the activities. Looking at a real-life situation, the criminal or civil law system of a country can be taken into consideration. However, the

judgements of the court are part of the legal discourse. These documents contain decisions, rules, as well as statutes interpretations presented by the judge or the jury in meticulous case to case bases. These decisions are of high importance as they are made known to members of the public in the court or the media.

Looking at this from a legal discourse perspective, a court judgement originates from lawsuit filed, upon which the court takes a formal decision. Moreover, the court may also pass a range of orders in terms of verdicts depending on the nature of the filed lawsuits; for example, they may sentence a party to prison in both criminal and civil matters and stipulate the duration or present a decision. Thus, there is a need to critically evaluate the court decision in order to formulate precise and meticulous judgement texts which may not only be used as public accounts but also for legal education.

The administration of the criminal justice system for political elites in Nigeria has been widely criticized in recent times by the media. It is difficult to understand and comprehend the interpretations of some of these high-profile court judgement texts and establish the truth and differences in the decisions of related cases. It is also difficult to understand how ideologies and opinions are manifested in some of these high-profile legal documents

However, this present study scrutinizes and analyses the relationship between language and ideology and how such relationship is represented in the analysis of the court text. Through systemic functional linguistics developed by M. A. K Halliday, an attempt is made to show how the judgement texts are working apparatus of ideology as well as meaning representations, which are not obviously recognized by the readers. A critical linguistic investigation of what lies underneath these texts is however essential. The ideational transitivity which is a meaning- based

linguistic analysis will describe not only the activities surrounding Dr. Kalu's prosecution and court judgments, but also the individuals participating in the activities of the court case.

1.1 Statement of the Problem

Diverse studies have been conducted on the idiosyncratic nature of courtroom language especially in the area of interrogation and questioning of witnesses. The focus generally has always been on the syntactic and stylistic features of legal documents and court judgement texts. But to the best of my knowledge, none have looked at a court judgement of a distinguished Senator of the Federal Republic in order to understand and comprehend the judge interpretations, from a systemic functional linguistic perspective.

Interest in this study, therefore, emerges from the need to reveal how linguistic tools are used to represent legal issues in the court and to identify the ideology behind such representation. Again, with the dearth of literature present in the legal linguistics of developing countries and particularly in the Nigerian context, the present study aims to fill these linguistic gaps and shed further light on the concept itself. Halliday's (1994) systemic functional linguistics is used as a theoretical base for legal text analysis in such a way that it is possible to say useful things about any text, including the complex and technical nature of court judgement of a distinguished Senator of the Federal Republic. The aim of this study is to attempt a critical linguistic analysis of Orji Uzo Kalu's Court judgments in order to examine the type of ideational process predominantly used in the analysis of Orji Uzo Kalu's Court judgments and to examine the extent to which these processes have helped in the comprehension and understanding of the judgement text.

2.1 Literature review

2.1.1 Conceptual Review

2.1.1.1 Transitivity Processes.

According to Matthiessen & Halliday, (1997), the process constituent can be considered in the following manner: The transitivity process contains six functional processes. Accordingly, the process is realized by the verb and is considered as the key element on which other element rely on. They are enumerated below:

- **Material verbs**

Many Scholars have used the material process as a research paradigm. The material process is categorized into happenings and doings. The two main area of the material process are the agent (subject) and the goal or achievement. The actor is the one carrying out the process and usually a subject and the goal is the one getting affected by the process. The actor could be a human as well as an inanimate object. They are also referred to as a process that involves doings and happenings. In this process, participants are actors, goals, recipients, and clients. Circumstances tell about the manner, place, and time periods of these happenings.

- **Mental Process**

The mental process connotes the senses and emotions. It has been divided into four sub types which include cognition, perception, affection, and desires. There is a psychological and philosophical association of the actors with their actions in this process. The mental process mainly talks about phenomenon and senser.

- **Relational Process**

The relational process is linked to correlation or relationship between certain abstract objects. This process is used to explain the relationship between ideals and their beliefs. The relational process helps to define a relationship or connect a relationship between two concepts. Relational process can be broken down into five sub-types: possessive, circumstantial, identifying, attributive, and intensive. For the possessive process, the participants can express their possession towards something. In the circumstantial scheme, the relative process is about pointing implicitly at someone's wrongdoing, but not proving that unequivocally. In the identifying scheme, the participants can be changed, which may result to a shift in the grammatical role. The attribute mechanism does not require the participants to be reversed but it occasionally does.

- **Verbal process**

Halliday (2009) remarks that the verbal process is a process of saying which usually contributes to the creation of narratives by setting up distinctive dialogues and reported speech. There is always a correlation between mental and verbal processes. This is because the act of saying does not occur alone. There is a whole process of mental work behind and which is related to the mind. There are three participants of the verbal process which includes the Sayer or the addresser in the verbal process of transitivity, the receiver or the addressee, or the entity targeted by the saying, and verbiage which is the content of what is said. The participants are called sayers who say something to the recipient, to whom something is being said or addressed, and the verbiage to which the utterances are being made. The verbal process consists of saying verbs such as sayer, verbiage, receiver, and target. Receiver refers to the entity at the receiving end.

It involves the addressee, who is identified as an object by the saying.

- **Behavioural Process**

The behavioural process is a psychological process. It combines the elements of mental and material processes such as dreaming and stating. It coexists with behaviour. It falls in dimensions of material and mental processes. Usually, behavioural processes are always intransitive and include only the participant as an agent. The main participant in this process is called a behavior. If there are two participants in a process, then the second one is coined as behaviour.

- **Existential Process**

Existential process is the most complicated of all process verbs. It includes existential beings which are attributed to the subject's role. The standard verb used is the "be" verb and any time you see a construction; you have got an existential cycle. The existential process does not have any representation because it has no distinctive features and signifies only the existence of an event or a material. This process explains an entity, an action, a state of being, an event or a subject. In an existential process, there is also only one actor and progressives are mostly prohibited. The Existent is a literal process that is existentially understood.

2.1.1.2 Courtroom Discourse

According to van Dijk (1997), discourse analysis focuses on tangible articulated cases of conversations and does not concentrate on expressions which may be subjective and hence, misleading in the nature of goal or delineating from the target point. For this reason, the present study focuses on the case of Dr Orji Uzo Kalu's court Judgement and aims to extract information from the transcript

of the judgement text both at the Supreme Court and the Federal High Court. Critical discourse analysis on the other hand helps to unveil ideologies, hidden philosophies, and limitations of the text. It perceives language as a social phenomenon and consequently can analyse language critically through an investigation of the cultural practices and ideologies of the society in relation to power.

One significant observation about the courtroom discourses is in relation to the variations of power which have been shown to form the very foundation of the tenets of speech used within the text. It is easy to observe that during the court proceedings, all members are, to a certain degree, obliged differentially in the trial process. The power of the judge stands and is seen as the most effective and ultimate compared to that of the witnesses. Another significant feature of the courtroom discourse is the sequence of story presentation. In this present study, which is a criminal case, the judgement text which is both written and spoken are built by connecting the presented evidence from both the prosecuting and the defence counsels. Therefore, the judge not only acknowledges the contradicting stories but also chooses the very same to form his own ultimate ground for a final decision.

In any given trial, a case is opened by presenting a summary of the proceedings to be followed and ends after the arguments of the prosecuting and defence counsel's examination of all the witnesses are presented by the judge before a stance is reached. Mellinkoff (1963), states that the language of the law is wordy, unclear, pompous, and dull. This is observed at the lexical level. Power and ideology also play an important role in the moulding of courtroom judgements. This is because political groups and governmental institutions based on their status and domain use their own language and make colloquial generalizations and ideologies for their arguments

2.2 Empirical Review

In its broadest sense, all areas where language and law intersect are referred to as legal linguistics or forensic linguistics. The 10th Biannual Conference of the International Association of Forensic Linguistics (1994) enumerated four major areas of legal linguistics. It includes language and law, language in the legal process, language as evidence, research and teaching in forensic testimony. Language and law are further grouped into comprehensibility of legal documents, analysis, interpretation and history of legal texts. Others include multilingual matters in legal texts, discourse analysis of legal resources, language rights, power and law, media and law.

The major focus of legal linguistics is the discovery of hidden truth and proper deliverance of justice in the legal system or setting. McMenamin (2002) remarks that the relationship between language, crime and law can be detected, for instance, in the analysis of courtroom discourse, courtroom interpretation, comprehensibility of legal documents, police reports, police suspects interrogations, and police suspect statements. Again, language is an evidence of truth. This means that the true potential of language can be used for investigation, deliverance of justice and the rule of law as well as to solve the problem of insecurity in a country.

Language scholars have embarked on various academic, scholarly works in the interpretation of legal documents, interpretation of semantic and pragmatic meaning in a legal context and ambiguity in court judgments. Roger Shuy (2006, 2007) wrote extensively on the application of linguistics in different court cases, especially in the area of discourse analysis and pragmatics. He has also appeared in various courts as an expert witness.

The interests in the relationship between language, law and crime have recently progressed in the developing countries of the world. Shuy has contributed immensely in series of books on his

experiences as an expert witness in and out of court. In Europe and America, various aspects of linguistic interpretation of meaning in court judgments have been done. Such interpretation ranges from ambiguity and vagueness in the criminal justice system. Richland (2008) work helped in the understanding of legal discourse analyses through the micro-examination of transcripts of courtroom recordings. Following the customs which have affected courtroom functioning, he concluded that social truths are primarily made through face-to-face interaction. Furthermore, the author draws another conclusion that the recent advancements in the field of linguistic anthropological examination of language have also been central to forming and moulding point-of-views on legal discourse from ideologies to the basic semiotics.

The most interesting progress in the study of the relationship between language and law is the 10th international conference held at the University of Birmingham. It provided more opportunities for research than ever before. Solan (1994,1998,2011) in his paper on ethical and moral issues in forensic linguistics discussed some interesting examples on how judges take advantage of linguistic ambiguity to flout the rule of law .He also looked at some American court cases where statute' is susceptible to multiple interpretations either as a result of syntactic or lexical ambiguity. Martin and Rose (2003) explored how clause structures can be expressed through simultaneous strands of meanings. Halliday (1994) exhibits these language meta-functions into three parts: ideation, interpersonal, and textual.

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

2.3 Theoretical Framework

2.3.1 Halliday Systemic Functional Linguistics

Linguists study language in a systematic way just like it is in other fields of Science. The scientific study of language operates in various levels of morphology, phonology, semantics, and pragmatics. The critical linguistic approach undertaken for this present study is based on the concept of Halliday's (1994) Systemic Functional Grammar. It is the theory adopted as a model for a critical linguistic analysis of Orji Uzor Kalu's court judgements. Halliday's systemic functional linguistics is a theory of linguistics that looks at not only language, but other semiotic systems as a system of choices. According to Coffin (2001), Systemic functional linguistics, though primarily a linguistic theory, is also concerned with the effect of culture and society on language. The theory posits that all speakers are influenced by the economic/social system in which they live and by the roles they inhabit within these systems. Gregory (1980) presented Halliday's developing and functional theory of language. Language users are always privileged to make choices from a wide range of options in order to create a text which may be a written or spoken. It describes three metafunctions of language. From these three, the present study attempts to focus on the Ideational meaning or representational clause.

Transitivity analysis entails the ideational meta-function. It shows the representational meaning of a text. Transitivity analysis is applicable to the ideational mechanism. Its major focus is on the language's semiotic material and looks to the speaker's grammatical decisions regarding his experiences. Halliday and Matthiessen (2013) assert that ideational meta-function observes the representation of the linguistic order that we impose on the flow of events as we experience them. The grammatical structure to which this meta-function refers is called transitivity. When analysing

language for its experiential functions, a clause is broken down into three functional elements of participant, process and circumstance. The Participant element, usually the subject of the clause, can be termed as the actor, agent, goal, carrier or sayer of the clause. The Process constituent, the central verb of the clause, can also be broken down into three separate elements and described as material, relational and projecting. The circumstance element can be referred to as the where, when, how, why, with whom or as what the process of the clause occurred.

3. Methodology

3.1 Research Design

The present study adopted the methodology of qualitative research. The text analyses are performed with the use of Halliday's (1985) metafunctions of language. The metafunction of ideation is used for the analysis of the discourse. Through the application of the ideational function of Systemic functional linguistics, clauses are selected from the court judgement text, in order to identify the ideological intents in the text as well as to realize the meaning and how reality is depicted in legal language.

3.2 Research Sample

The research sample for the study is the original Kalu's Case Judgement transcript released by the Court of Nigeria on its official website. The purposive sampling technique is adopted in the Selection of the clauses to be analysed. A total of 19 samples have been collected, covering and representing the two hundred and ninety-one (291) pages of the Federal High Court and fifty-one (51) pages of Supreme Court legal documents.

4. Ideational Processes in Text

Table 1 and 2 below shows the comparison of the processes in the analysed linguistic units. Moreover, the interpretation and discussion on the number of occurrences have also been included below.

Table 1 Ideational Process in Federal High Court Judgment Text

S/N	Ideational Processes in Federal High Court Texts(PC FOR EFCC &DCR)	Frequency of Process Count	Percentage of each Process Count
1	Material Process	110	19.6%
2	Verbal Process	210	37.5%
3	Mental Process	8	1.4%
4	Relational Process	100	17.8%
5	Behavioral Process	26	4.6%
6	Existential Process	105	18.7%
	Total	559	

Prosecution counsel (PC for EFCC), Defence counsel (DC for respondents)

Table 2 Ideational Processes in Supreme Court Judgment Text

S/N	Ideational Processes in Supreme Court texts(ASC&CJ)	Frequency of Process count	Percentage of each Process Count
1	Material Process	10	3.14%
2	Verbal Process	146	49.8%
3	Mental Process	5	1.7%
4	Relational Process	96	32.7%
5	Behavioral Process	36	12.2%
6	Existential Process	0	0
	Total	293	

Advocate to Supreme Court respondents and appellants (ASC) & CJ

Findings from the table reveal that out of all the processes in the federal high court and Supreme Court judgement texts, the use of the verbal process is highest in percentage in comparison with other participants. The verbal process is a large category that makes use of different modes of speech such as commanding, asking and stating. This is the process used mostly by the court judges in delivering judgement where no external factor has an influence as well as showing the stance taken by the court On Dr Orji Uzo Kalu prosecution.

Again, the behavioural process describes the psychological behaviour of the counsels to the respondents. The use of the process shows the speaker's subjective stance to what is being said. Therefore, their statements as presented by the judge show a high ratio of being biased than non-biased. Advocates to the prosecution and defendants, the chief judge and advocate to the supreme court also made high use of relational process, $32.7\% + 17.8\% = 50.5\%$ in total showing attributes of being or having. This shows the speaker's need for authentication which lowers their chances of being objective. Finally, the existential processes are used mostly by the court in stating known facts especially as it relates to the constitution of the Federal Republic of Nigeria

4.2 Analysis of Selected Parts of the Text

The extract below presents selected examples from the text with detailed analysis and discussion. A total of 19 examples were randomly selected from the Federal High Court and Supreme Court judgement on Dr Orji Uzo Kalu's prosecution. They fall into one or two categories in the table. The analysis of samples 1 to 12 below are selected randomly from the two hundred and ninety-one pages (291) federal high court judgement text, presented by Justice M.B Idris on the 5th day of December 2019. Charge no: FHC/ABJ/CR/56/07.

Sample 1 (FHC): The defendants were charged before the court on a 107-count charge alleging the theft and laundering of 2.6billion naira (sample 1 FHC judgement text).

Sample 2 (FHC): The defendants were alleged to have committed the offences contained in the amended charge of July 2018 as follows. (Sample 2 FHC)

Sample 1 above, Judgement text from Federal High Court (FHC) clearly states something which has already been done and existed

for the purpose of providing information; hence this would come under the category of verbal process. Sample 2 shows that there are various instances of verbal process in the federal judgement text where the thirty-nine (39) count charges were stated.

Sample 3(FHC); That you Orji Uzo KALU BETWEEN 13th August, 2003 and 9th October, 2003 whilst being the executive governor of Abia state within the jurisdiction of this honourable court did procure SLOK NIGERIA LIMITED(a company owned by you and members of your family) to retain in its account domiciled with the first Inland Bank Plc the sum of two hundred million naira on your behalf which formed part of the funds illegally derived from the treasury of Abia state government through standard trust and you hereby committed an offence to section 17(c0 of the money laundering(prohibition) Act, 2003 and punishable under section 16 of the same act “

Sample 4(FHC); The counsel to the first defendant (CHUKWUKA OBIDIKE) filled their final written address dated 19th of September.

The sample 3 above being the first count charge against the defendant is a combination of both material process and the verbal process. The statement performs a material process within which; “Orji Uzo Kalu” in line one is the actor, “procure” in line 2 is the process and “SLOK Nigeria limited” also in line 2 is the goal. These lines which are also presented by the justice M.B Idris mainly show the use of the verbal process in which the speaker delivers an unbending statement to the reader, clarifying the simple words as to what is and what shall be if it is proved beyond all reasonable doubt as stipulated in the law of the Federal Republic of Nigeria. There are many other instances of count charges in the judgement text ranging from count 1 to 39. In all the count charges, there are more material and the verbal processes whose percentage frequency is represented

in the table above. Sample 4 above represents that the counsel to Dr. Orji Uzo Kalu has filed various instances of opinions regarding the innocence of his client.

Sample 5(FHC); The 1st defendant submitted that the absence of a preliminary report nullifies the case of the prosecution. The leaned counsel to the 1st defendant argued that accusing the first defendant of laundering an amount of money which prevaricates from time to time is certainly clogging the possibility of proof beyond reasonable doubt and this is usually the result of improper and incomplete criminal investigation which the law frown at

Sample 6(FHC); The 1ST DEFENDANTS counsel submitted that incomplete investigation cast enormous doubt on the charge against the 1st defendant and ought to be resolved in favour of the 1st defendant

The statement 5 is one of the examples of the counsel's opinion on the findings of the EFCC against Dr. Orji Uzo Kalu. Through this verbal process, the benefit of doubt is given to the first respondent (Dr. Orji Uzo Kalu), signifying the relation of the EFCC findings by attributing it to being '*clogging the possibility of proof beyond reasonable doubt*' It can be said that the speaker through his words wants to emphasize the biased connotations that are being portrayed by the EFCC, allowing not only the speaker but also the reader to give benefit of doubt to the first respondent which is Dr. Orji Uzo Kalu. Sample 6 above is another instance of verbal and relational process as explained in sentence 5 above.

Sample 7(FHC); the first defendant urged the court to agree, that it is extremely unfair, unconstitutional and against established international practices for a defendant against whom a 107, 0r 112 or 34 or 39 count charge as the case may be, has been preferred, to be confronted with the petition against

him a clear two(2) years after the said petition was received and makes nonsense of the presumption of innocence as prescribed by section 36(5) of the constitution of the federal republic of Nigeria 1999(as amended)

Sample 8(FHC);The learned counsel to the 1st defendant contended that during the material time of investigation, the 1st defendant was equally never confronted with the allegedly purchased drafts, cheques and other financial instruments which are the subject matter of the charge for his comments and/or explanation and he was never confronted with EXH Y12(Termed suspicious transactions) to elicit his reaction or comment thereon, if any.

Behavioural process is seen in the chosen sample 7 above as the speaker uses the words, “extremely unfair, unconstitutional and against established international practices” to intensify the effects of the said petition by the EFCC. The importance of “presumption of innocence” is depicted using relational process, where it shows the attributing “presumption” to the carrier which is “innocence”

In Sample 8, behavioural process is seen depicted in the line as the learned counsel to the defendant shows an unjust and unfair behaviour attributed to the EFCC as regards to their investigation. In the line we see “...the first defendant was equally never confronted with the allegedly purchased drafts, cheques or other financial instruments which are the subject matter of charge” Through the analysis of these lines, it can be predicted that the judge has shown unbiased attitude towards the respondents by taking in account the unethical doings of the EFCC. There are many other instances of behavioural and relational process as seen in the case presented by the defence counsel.

Sample 9 (FHC); It is the argument of the prosecution that from their evidence before this court, they have clearly demonstrated

that the funds used to raise the drafts were withdrawals made from Government house...he prosecution by circumstantial evidence adduced the manner/circumstances in which those funds were handled by the officials of Abia state government Sample10 (FHC). The prosecution in every criminal case must prove the guilt of the defendant with compelling evidence. It must be clearly and undoubtedly proved.

In statement 9 above, relational process and behavioural process were detected. In the Second and third line, it shows the relation of “funds used to raise drafts by the ex-Governor” as the withdrawals made from the government house account. In the Succeeding line, the attitude of the writer, in this case the justice M. D Idris behaviour towards the 1st and 2nd defendant in the line” adduced the manner/circumstances “ shows the attitude of the prosecution counsel to the first respondent.

Existential and verbal process is evident in these lines of statement 10 above. Through this statement, the reader is educated on what is, what exists and how the court will be handling a criminal case of that nature as stipulated in the constitution. It also gives the reader affirmation that nothing will go unclarified. This also shows the criminal justice system rules of the court in reaching a conclusion on the case. Indeed, pages 96 to 115 of the Orji Uzo Kalu's judgement text explain how the prosecution must prove its case against the defendants beyond all reasonable doubts. Existential and verbal processes were detected in these pages.

Sample 11 (FHC): From the totality of evidence led by the prosecution and by considering the ingredients of the offence above, it is clear that the 1st defendant did procure the 3rd defendant..... The 1st and 3rd defendant are therefore guilty of counts 1 and 12

Sample 12 (FHC): The defendants are no doubt first time offenders, and for this reason, I shall tamper justice with some mercy in line with the dictates of the law. The convicts are hereby sentenced as follows.....5, 12.....Yrs. imprisonment as the count progresses

The sample in 11 above is taken from the commentary of Justice M.B Idris. It shows the use of the verbal process through which he simply states what should be. It can also be said to be a part of the existential process, as the speaker is affirming only what already exist. From pages 149 to 291 of the court judgement text, the judge recounts the arguments of the prosecuting and defence counsels using mostly the verbal process, existential process and material process. However, in the last statement 12, we see a combination of verbal and material process as in “the convicts are hereby sentenced as follows”

Below is the analysis of samples 13 to 17, selected randomly from the fifty-one (51) pages of the Supreme Court Judgement text, presented by Chief Justice of the Supreme Court of Nigeria at Abuja, on Friday 8th may, 2020. SC.622C/2019.

Sample 13, Supreme Court (SC) Judgement text: On 31st October 2016 at the federal high court, Lagos division, the appellant, and the 2nd and 3rd respondents were arraigned before the honourable, justice M.B Idris-judge of the federal high court on several criminal allegations or charges

Sample 14(SC); The criminal justice act, 2015 under which the president, court of appeal issued the FIAT/Permission pursuant to section 396(7) does not exist in the corpus of the laws of the federation of Nigeria.

Sample 13 is a simple material process in which, “the appellants, and the respondents are the actors in the process, while “arraigned” is the process and appearing before the court represented by the

judge is the goal. In sample 14 above, relational process is depicted as “The permission does not exist in the laws of the federation of Nigeria.

Sample15(SC): That a judge elevated or appointed to a higher court would cease to be a judge of the court from which he was elevated and would therefore lack the requisite jurisdiction to conclude his part heard matter in court from which he was elevated was/ is still extant.

Sample 16: The honourable M.B Idris was on the 20th June, 2018, elevated to the court of Appeal as justice of the court. On 22nd June 2018, the honourable, justice M.B Idris took his oath as justice of the court of appeal and had from his said elevation ceased to be a judge of the federal high court

Sample 15 above is the commentary of the court in which a basic verbal and existential process can be seen. The court is stating in clear words through the chief judge what shall be done and what ought to be. It also conveys the limitations of the judgement of the federal high court by making sure that the reader, as well as the respondents know of the consequences of the directive given to the judge M.B Idris to continue with a case after his elevation from the Federal High Court Judge to the court of Appeal.

Sample 1 and 16 above, clearly states something which has already been done and which only exists for the purpose of providing information, hence can be grouped as verbal process. Again, in statement 16, we also see the use of relational process. At first, we see the relation of Justice M.B Idris as a judge of the Court of Appeal after his elevation. Secondly, we also see the nullification of the relationship between him and the Federal High Court as “*he ceased to be a judge of the federal high court*” after his elevation as an Appeal Court Judge.

Sample 17(SC); Section 396(7) of the ACJA, pursuant to which the PCA purported to act, cannot override the clear provisions of the constitution by donating power to a justice of the court of appeal to continue to sit as a high court judge for whatever purpose. The provision is inconsistent with sections 253 of the constitution.

Sample 18(SC); The national assembly, in view of the supremacy provision of the constitution, in section 1 therefore could not have intended that audacious insubordination to the constitution, or state of absurd fool hardiness of legislating into section 396(7) of the ACJA, 2015

Sample 19(SC); I hereby allow this appeal. Section 396(7) of the ACJA, 2015 is, in my own firm view, an unnecessarily gratuitous legislative interference with, intrusion into or an outright usurpation of the appointing powers of the executive arm consigned specifically to the president of the federal republic of Nigeria by constitution in section 250(1) and 238(2)

Verbal process is also seen in sample 17 above, in which a statement has been stated explaining what is and what is not. It also portrays a relational process in which it nullifies the relationship between “**Section 396(7) of the ACJA**” and “**sections 253 of the constitution**” by describing it as been inconsistent.

In sample 18, we see the attitude of the writer, that is, the judge’s behaviour towards the provision of section 396(&) of the ACJA; in the line”..... “audacious insubordination and absurd fool hardiness of legislating” is used by Chief judge to depict the effect of allowing the provisions of Administration of the Criminal Justice Act to override the express provision of the 1999 constitution.

In sample 19, all the attributes such as “unnecessarily gratuitous or outright usurpation” are of one carrier who is identified

as “Section 396(7) of the ACJA, 2015” which shows a negative relational process upon which the appeal is allowed.

5. Conclusion

Taking cognizance of the results of all the evidences by the Economic and Financial Crimes Commission (EFCC), respondents, and witnesses, we can infer that through the increased frequency of the verbal process usage by the court represented by the judge (Justice M.B Idris) at the federal high court, the stance of the court is represented as unbiased which resulted in sentencing Dr. Orji Uzo Kalu to 12yrs in Prison.. The simple statement through which the court has projected its opinion shows that it is not affected by external forces other than the dictates of the Constitution and other related judgements.

On the other hand, the ideology of the judgement to the reader for Supreme Court judgement is significantly different. Here we see through the analysis, an extensive usage of the relational and behavioural processes by the Chief Judge as well as the prosecution and defence counsel at the federal high court. At the federal high court, we see the aggressive attitude of the prosecution counsel towards the respondents and specifically respondent 1 by attributing the carrier, Dr Orji Uzo kalu with negative features. Again, the commentary and judgement by the Supreme Court also use same behavioural and relational process in order to attain a benefit of doubt in favour of both respondents (Appellant and Dr Orji Uzo Kalu) by nullifying the judgement of the Federal High Court on technical grounds.

However, the researcher concluded that the Federal High Court judgement is unprejudiced as it follows the specified rules given by the Constitution whereas the true ideology of the Supreme Court judgement appears to be prejudiced. But in all, the two

judgement was unaffected by all except that which applies to the Constitution. The above analysis has proved that Halliday's Systemic Functional Linguistics is a veritable tool for uncovering the strategies that writers/speakers use to convince us of their viewpoints. The researcher also recommends for government to take proactive measures to address the abnormalities in the criminal justice system of Nigeria. This will also go a long way to contribute its own quota towards solving the problem of insecurity in Nigeria.

The study recommends for more research in the critical area of judicial interpretation as well as the involvement of forensic linguistic experts in the court in particular and in the administration of the criminal justice system of Nigeria in general.

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