Transitivity Analysis of Pakistan's Code of Civil Procedure 1908: A Corpus-Based Study

Saadat Hasan Akhtar Usmani †
Ayaz Afsar ‡

Abstract

The language of law is complex and needs to be investigated to facilitate its easy understanding. The present study addresses this need by analyzing a mini-corpus comprising two short texts taken from Pakistan's Code of Civil Procedure 1908 and the U.K.'s Civil Procedure Rules 1998 with Halliday's ideational metafunction, which is suited for analyzing procedural texts (Halliday & Matthiessen, 2004). The study identified the transitivity patterns in the mini corpus. The findings showed simpler construction of processes in the U.K. civil procedure text sample as compared to Pakistan's Civil Procedure text sample, whereas the analysis showed a similar complex construction of nominal phrases in both texts. The study is expected to contribute toward an easy understanding of legal language. It is also hoped that this study will promote further research in this important area with pedagogical implications.

Key Words: Corpus Analysis, Ideational Metafunction, Legal Language, Legislative Drafting, Linguistic Complexity, Systemic Functional Linguistics

Introduction

Legal language is complex because it uses complex linguistic structures and multiple qualifications for achieving clarity and comprehensiveness (El-Farahaty, 2015; Bhatia, 1993, 2003, 2004). That is the reason that complexity in legal language has been researched extensively. For example, Bhatia (1993, 2010) investigated the use of subordinate clauses in order to facilitate the understanding of legislative provisions. Cooper (2011) identified the ambiguity caused by the excessive use of the modal verb 'shall' in legislation. Some research in legal language has been carried out in the Pakistani context, too. For example, the stylistic and move analysis of plaints for recovery of finance (Jabeen, 2012), genre analysis of Pakistani Muslim Family Laws Ordinance 1961 (Usmani, 2014), and stylistic analysis of Muslim Family Laws Ordinance 1961 (Ahmad, Nadeem, Khan, & Ahmad, 2015). These studies provide a foundation for the present study. As the complexity in legal language presents challenges for easy understanding of the legislative texts (Bhatia, 2004), and the fact that research on legal language in the Pakistani context is still limited, we aimed to carry out a comparative linguistic analysis of the legal language used in Pakistan's Code of Civil Procedure 1908 (henceforth CPC) and U.K.'s Civil Procedure Rules 1998 (henceforth CPR).

For this purpose, we employed Halliday's ideational metafunction. In Systemic Functional Linguistics (SFL), the ideational metafunction is used to identify the use of language in expressing the actions and events. Hence, it is well suited for investigating the procedural texts (Halliday & Matthiessen, 2004).

† PhD Scholar, Department of English, International Islamic University, Islamabad, Pakistan.
Email: saadathausmani@gmail.com
‡ Vice President Academics, International Islamic University, Islamabad, Pakistan.
Objective

The objective of our study was to examine the use of language in the creation of civil procedures in CPC and CPR. In view of the limited scope of this study, a mini corpus was developed comprising small data taken from each text for analyzing the expression of civil procedure in both texts with the help of Halliday and Matthiessen’s ideational metafunction (2004). The analysis helped identify the linguistic patterns for creating the civil procedure in the mini corpus.

Literature Review

According to Bhatia (2004), the language of the law is replete with complex constructions, which make it difficult to understand even by law professionals. The situation is more challenging in the Pakistani context, where English is not a native or first language (Mahmood, 2009). Therefore, an investigation of the language of law in general and that of legislative texts is highly desirable. However, the legal language is generally considered to be beyond any flaws and hence is taken for granted (Chaudhry, 2010). This situation naturally demands that the language of a legislative text be examined in order to facilitate its easy understanding.

Previous studies indicate that some research has been carried out in the Pakistani context, such as the stylistic analysis of plaint letters (Jabeen, 2012). Similarly, Ahmad (2015) carried out the analysis of cohesive devices in the Muslim Family Laws Ordinance 1961. Usmani (2014) carried out a genre analysis of the Muslim Family Laws Ordinance 1961, identifying various moves in creating the text of the Ordinance, and finding various complex linguistic patterns that caused difficulties in easy comprehension. In addition, Chaudhry (2007) provided a comprehensive commentary on legislative drafting in the Pakistani context and recommended various strategies for facilitating a better understanding of legislative texts. These studies provided foundation and justification for expanding the scope of the research to comparative analysis of legislative texts from different countries. Hence, the present study chose to investigate the civil procedures of Pakistan and the U.K.

Theoretical Framework

This study employed SFL as a theoretical framework. SFL looks at a text through ideational, interpersonal, and textual metafunctions (Halliday & Matthiessen, 2004). The ideational metafunction looks at the use of language for expressing experience, the interpersonal metafunction is used to investigate linguistic devices employed in the interactions between people, and the textual metafunction explores various linguistic devices for creating cohesion. For the purposes of this study, we employed the ideational metafunction to examine the text samples included in the mini corpus because the texts express the procedure of interpleader, a domain related to ideational metafunction.

The ideational metafunction uses the system of transitivity to explore the construction of a clause and provides that a clause is composed of three major components, that is, process, participant, and circumstance. A process depicts six types of action or events expressed by a verb. A participant is an entity that either performs the action or is impacted by it and is expressed by a noun. A circumstance expresses additional information about a process and is generally expressed by a prepositional phrase or an adverbial phrase. Each type of process has its specific attendant participants. The processes, along with their attendant participants and circumstances, are explained below.

Material Process

A Material process expresses action or an event with reference to time, location, and quality (Halliday & Matthiessen, 2004). A material process generally has two participants, an Actor and a Goal. The actor is the participant that does an action, and the participant that is impacted by the action is referred to as Goal. The action may be physical (e.g., Amjad threw the ball) or mental/abstract (e.g., Amjad thought that he wrote a letter). A clause in which a material process occurs is known as a material clause. It may have an explicit Actor (i.e., active voice) or implicit Actor (i.e., passive voice). Similarly, it may or may not require a
Goal. The criteria for identifying a process as a material process is to ask what did X do to Y when, where, how, and why? (Halliday & Matthiessen, 2004).

**Table 1. Material Process - Active Voice Examples**

| Actor         | Process: material | Goal             |
|---------------|-------------------|------------------|
| Amjad         | wrote             | a letter.        |
| The bowler    | threw             | the ball.        |

**Table 2. Material Process - Passive Voice Examples**

| Goal         | Process: material | Actor            |
|--------------|-------------------|------------------|
| The letter   | was written       | by Amjad         |
| The ball     | was thrown        | by the bowler.   |

**Mental Process**

A Mental process refers to what goes on within the mind and depicts ideas, thoughts, observations, etc. A mental process depicts four types of action:

1) Perception (i.e., seeing or hearing), 2) Cognition (i.e., knowing), 3) Desideration (wanting or needing), and 4) Emotion (i.e., liking, not liking, etc.). Halliday and Matthiessen (2004) point out that a mental process always involves two participants: 1) Senser, who performs one of the abovementioned actions, and 2) Phenomenon, that is, what is perceived, liked/disliked, etc. In addition, a Senser is always a participant endowed with human characteristics of feeling, liking, sensing, etc. Whereas a Phenomenon may or may not have human characteristics.

**Table 3. Mental Process - Examples**

| Senser | Process: mental | Phenomenon |
|--------|-----------------|------------|
| Ana    | felt            | joy.       |
| Jerry  | thought         | that he had won the game. |
| Amjad  | cannot see.     |            |

**Relational Process**

A Relational Process depicts a state of being or having. It shows a relation between two entities in such a way that neither entity is affected by the process (Halliday & Matthiessen, 2004). A relational process has two modes and three types. The two modes are 1) Attributive, 2) Identifying. Attributive mode depicts that an entity x has an attribute a. Identifying mode shows that an entity x is assigned a role/character a. The three types are: 1) Intensive on the pattern x is a, 2) Circumstantial on the pattern x is at a, 3) Possessive on the pattern x has a. The intensive type shows that the entity x has an attribute or a role/character a. The Circumstantial type shows that an entity x is happening on or at a given time or day, or a circumstance x is identified to be a. Possessive depicts that either an entity x possesses an attribute a, or an entity a is identified as a possession of an entity x. The possessive processes are shown in Table 4.

**Table 4. Relational Process - Examples**

| Type           | Attributive | Identifying          |
|----------------|-------------|----------------------|
| Intensive      | Amjad is wise | Amjad is the supervisor. |
| Circumstantial | The festival was on Monday | Tomorrow is the ninth. |
|                |             | The ninth is         |
Possessive  Amjad has a box  The box is Amjad's.  Amjad's box is that box.

**Behavioral Process**

As indicated by its name, a Behavioral process shows a behavior, such as smiling, laughing, looking. *(Halliday & Matthiessen, 2004)*. It shows an outward display of our mental activity. For example, seeing is a mental process but looking at something is behavioral because it involves an act of looking at something. This process lies at the boundary of a material and a mental process (2004). It has one inherent participant, called Behaver. A Behaver is typically a conscious entity. Some clauses use Range as the second participant. A Range is only used to add further description to a Behaver and is therefore not a real participant.

Generally, a Behavioral process is of five types: 1) behavior of consciousness, such as watching, staring, thinking; 2) behavior of verbal types, such as grumbling, talking; 3) behavior of physiological types, such as crying, frowning; 4) behavior of miscellaneous physiological type, such as breathing, sleeping; 5) behavior of physical nature, such as dancing, sitting, squatting *(Halliday, 1994)*. These processes are shown in Table 5.

**Table 5. Behavioral Process - Example**

| Behaver | Process | Range |
|---------|---------|-------|
| Amjad   | gave    | a smile. |
| Amjad   | laughed |       |

**Verbal Process**

A verbal process depicts an act of saying something, such as reporting an event. A verbal process lies at the boundary of a mental and a relational process. Thus, it carries the characteristics of these two processes. According to Thompson (2000), it depicts the human faculty of thinking and meaning.

This process has one inherent participant, which is referred to as Sayer, which could be a conscious or nonconscious entity. This process involves three other participants, i.e., a Receiver, the Verbiage, and a Target. The Verbiage shows what is said. The Receiver shows the entity to whom the Verbiage is addressed. The third participant, Target, is the entity that is the target of the Verbiage. It is shown in Table 6.

**Table 6. Verbal Process - Example**

| Sayer      | Process: verbal | Target | Receiver | Verbiage                |
|------------|-----------------|--------|----------|-------------------------|
| Akram      | tells           | -      | Amjad    | a true story.           |
| Supervisor | praised         | Amjad  | -        | for his great work.     |

**Existential**

An Existential process expresses the existence of an entity. It has features of a relational and a material process. A clause with an existential process generally starts with *there* *(Halliday & Matthiessen, 2004)*. Some other processes depicting existence are *flourishing, arising*, etc. This process generally involves one inherent participant, known as Existent. An Existent may be a conscious or nonconscious entity.
Table 7. Existential Process - There as Theme

| Process: existential | Existent | Circumstance        |
|----------------------|----------|---------------------|
| There lived          | a farmer | in the village.     |
| There was            | a queen  | in Persia.          |

Table 8. Existential Process - Existent as Theme

| Existent | Process: existential | Circumstance        |
|----------|----------------------|---------------------|
| No life  | exists               | in the dead sea.    |

Mini Corpus

For the needs of this study, we will consider a mini corpus of the provisions relating to interpleader from each text. These have been reproduced in Appendices 1-2. The purpose of having only a small number of provisions is to help us to analyze these provisions completely without having to go beyond the scope of this study. A detailed analysis of each text would require a separate study. The provisions in the mini corpus from each text have the same heading, that is, interpleader. Therefore, it was well-suited for our purposes to provide a comparative analysis as to how each text lays down the procedure for interpleader. The provisions relating to interpleader have been taken from the following sources:

CPC: [https://www.pakistancode.gov.pk/english/UY2FqaIw1-apapY2Fqa-apapY2NpaJdq-sg-ijijiijiiijii](https://www.pakistancode.gov.pk/english/UY2FqaIw1-apapY2Fqa-apapY2NpaJdq-sg-ijijiijiiijii)

CRP: [https://www.legislation.gov.uk/uksi/1998/3132/made/data.pdf](https://www.legislation.gov.uk/uksi/1998/3132/made/data.pdf)

Research Questions

In view of the limited scope of this study, the following research question has been formulated for this paper:

1. What transitivity patterns may be identified in the mini corpus?

Analysis and Discussion

In order to respond to the research question, the transitivity analysis of CPC and CPR was carried out. The transitivity analysis of clauses from CPC is provided in Appendix I, and that of CPR is given in Appendix II. In this section, the analysis is represented for the processes used in the two data, followed by an analysis of nominal phrases.

Construction of Processes in Mini Corpus

The processes in the two data are reproduced in Table 9.

Table 9. Process types in CPC and CPR

| CPC Data | CRC Data |
|----------|----------|
| Process  | Type     | Process  | Type     |
| state    | verbal   | apply    | Material |
| required | material | construed| Mental  |
| stay     | material | give     | Material |
| provided | material | include  | Material |
| added    | material | be       | Relational |
| declare  | verbal   | give     | Material |
| retain   | material | give     | Material |
| adjudicate | material | be       | Relational |
| direct   | verbal   | apply    | Material |
| enable   | mental   |          |          |
| instituted | material |          |          |
| provide  | material |          |          |
As mini corpus comprised a small data sample, Table 9 returned only 12 processes in the CPC data and only nine processes in CPR data. CPC data contains 8 material processes, 3 verbal processes, and 1 mental process. The CPR data contains 6 material, 1 mental, and 2 relational processes. These have been graphically presented in Figure 1.

| Process   | Frequency in CPC data | Frequency in CPR data |
|-----------|-----------------------|-----------------------|
| Material  | 8                     | 6                     |
| Verbal    | 3                     | 0                     |
| Mental    | 1                     | 1                     |
| Relational| 0                     | 2                     |

**Figure 1:** Frequency Distribution of Processes in the Texts of CPC and CPR

Figure 1 shows that CPC uses three instances of verbal processes as compared to zero in CPR. Similarly, CPC did not return any relational processes as compared to two instances of relational processes in CPR. As the number of processes is not the same in both data, the percentage distribution was calculated. It has been given in Table 10.

**Table 10.** Percentage of Processes in CPC and CPR Data

| Process   | Frequency in CPC data | Percentage | Frequency in CPR data | Percentage |
|-----------|-----------------------|------------|-----------------------|------------|
| Material  | 8                     | 67%        | 6                     | 67%        |
| Verbal    | 3                     | 25%        | 0                     | 0%         |
| Mental    | 1                     | 8%         | 1                     | 11%        |
| Relational| 0                     | 0%         | 2                     | 22%        |

Table 10 shows that material processes have the same percentage in both CPC and CPR data. Despite being very small data, this clearly shows a preference for the material processes in both texts. This is significant in the sense that according to Halliday and Matthiessen (2004), the procedural texts predominantly employ material processes, so this finding in our data confirms this assertion. This has been visually represented in Figure 2.

**Figure 2:** Percentage Distribution of Processing in CPC and CPR Data
Figure 2 shows that both CPC and CPR data have equal percent distribution of material processes. It is interesting to note that the percent distribution of mental processes is 11% in CPR as compared to 8% in CPC, indicating that CPR uses more occurrences of mental processes as compared to CPC.

In the CPC data, the material processes are required, stay, provide(d), added, retain, adjudicate, instituted, and provide. In CPR data, the material processes are applied, give, and included. It may be observed that CPR data contains only three material processes, and they are repeated in different clauses. On the other hand, CPC data has a greater number of processes with less repetition. The only process used in the two clauses is provided. Similarly, CPC data shows state, declare, and direct as verbal processes. CPR data did not return any verbal process. In addition, CPC data returned enable as a mental process, whereas CPR data returned one instance of mental process, that is, construe. CPR data returned three instances of the relational process be. It may be observed that CPR data shows a smaller number of processes with more repetitions. Next, the structure of processes was analyzed in both data. It has been reproduced in Table 11:

| CPC data                          | CPR data                        |
|----------------------------------|---------------------------------|
| May be required to…pay or place  | May apply                       |
| Stay                             | Give                            |
| May be provided                  | Include                         |
| May be added                     | Give                            |
| Retain                           | Give                            |
| May adjudicate                   | Apply                           |
| May provide                      |                                 |

Table 11 shows that CPC data returned more complex structures for processes as compared to CPR data. CPR data returned only one instance of the process with may, as compared to 5 instances of processes with may in CPC data. Another important observation shows that CPR data uses active mode (give, include, give) as compared to CPC data that shows the use of both active and passive modes (required, provided, added, and stay, retain, adjudicate, provide).

**Construction of Nominal Phrases**

In this section, the construction of nominal phrases in both CPC data and CPR data was analyzed. The nominal phrases in main clauses found in both data have been listed in Appendix II. The nominal phrases in the circumstantial clauses have not been fully examined because that would go beyond the scope of this study. Appendix III shows that both CPC and CPR employ simple and complex constructions for the nominal phrases, which act as participants. A close look at these participants indicates that the participants include both human and non-human participants, such as the plaintiff, they, his costs..., him, all parties, agents, and tenants in CPC data; and the person...or the sheriff, the person under liability..., any person, his claim, the execution creditor, his address, the sheriff. The data in both CPC and CPR also include non-human participants, such as the court, the proceedings, the title, nothing in this Order in CPC data; and the court, notice, that address, notice thereof, goods or chattels claimed in CPR data. Another feature that these participants show is the embedded relative clauses, which serve to specify the meanings and limit the scope of the headwords. For example, the court in which the suit against the plaintiff is pending serves to specify which court is being referred to in the clause. Similarly, in his costs in the suit so stayed, the embedded relative clause in the suit so stayed specifies which costs are being referred to. It contains a further embedded clause so stayed, which further makes the scope of the meaning of the suit specific; that is, the clause talks about a suit which has been stayed so (i.e., in this manner). However, a detailed
investigation of such embedded elements would require a separate study.

CPR data also shows similar embedding. For example, the person under liability, as mentioned in sub-paragraph (a) or (subject to rule 2), the sheriff is a long nominal phrase serving as a participant and contains embedded clauses to specify which person is being referred to. Similarly, in another long nominal phrase, Any person making a claim to or in respect of any money, goods or chattels taken or intended to be taken in execution under a process of the court, or to the proceeds or value of any such goods or chattels, the underlined long embedded clause specifies which person is being referred to. Appendix III provides further instances of nominal phrases used in both CPC and CPR.

As Appendix III shows, the construction of nominal phrases becomes complex because of embedded clauses, despite the fact that such embedded clauses serve to achieve clarity and precision in a legal text (Bhatia, 2004).

**Conclusion and Recommendations**

This study was carried out to examine the complexity in legal language for which a comparative analysis of a min-corpus from the CPC and CPR was carried out with the help of Halliday’s transitivity system under his Systemic Functional Linguistics theory. The analysis focused on the transitivity patterns in both texts and the types and construction of processes, and the construction of nominal phrases. The analysis showed that the construction of processes may contain complex structures but was generally found to be simple. The processes used in CPR data were found to be fewer than the ones found in CPC data. In addition, CPR data showed repetition of these processes instead of using a large number of different processes. This seemed to make the data more focused. On the other hand, CPC data contained a greater number of processes with less repetition. This may indicate either CPC data being more diverse on the one hand and being less focused on the other hand.

With regard to the construction of nominal phrases, both texts showed a similar trend. Both texts used a mix of simple, one-word nominal phrases and multi-phrase structures with embedded clauses. The data indicated that these embedded clauses were added to achieve clarity and precision, but at the same time, such constructions seemed to make the texts complex and hard to understand at times.

Finally, this study was an attempt to identify the linguistic features of legal language in Pakistan as well as an attempt to open up this area for further academic research. We believe that further large-scale studies will pave the way for identifying more generalizable linguistic features of legal language in Pakistan.

In view of the above situation, it is recommended that:

1. The tradition of corpus-based systemic functional linguistic analysis should be extended to other legal genres.
2. Further large-scale research should be carried out to identify linguistic features of legal language in Pakistan.
3. The findings of the present and future research should be used to develop courses for teaching legal language at various academic levels.
References

Ahmad, S., Nadeem, M. T., Khan, T., & Ahmad, M. (2015). Stylistic Analysis of the ‘Muslim Family Laws Ordinance 1961. Journal for the Study of English Linguistics. 3(1), 28-37. http://www.macrothink.org/journal/index.php/jsel/article/view/7451.

Bhatia, V. (1993). Analyzing Genre: Language use in Professional Settings. London: Longman.

Bhatia, V. (2004). Worlds of written discourse: a genre-based view. London: Continuum International.

Chaudhry, G. M. (2007). Practical approach to legislative drafting. Rawalpindi. Federal Law House.

Chaudhry, G. M. (2010). Legislative process in Pakistan (policy to law). Rawalpindi: Federal Law House.

Cooper, P. K. (2011). Is there a case for the abolition of ‘shall’ from EU legislation? https://www.rgsl.edu.lv/uploads/research-papers-list/22/1-cooper-final.pdf.

Halliday, M. A. K., & Matthiessen, C. M. I. M. (2004). An Introduction to Functional Grammar. UK. Arnold

Jabeen, S. (2012). Move analysis and stylistic analysis of plaint letters of finance discovery for genre-based teaching of legal English in Pakistan. Language in India, 1930-2940.

Mahmood, R. (2009). A Lexico-grammatical Study of Noun Phrase in Pakistani English. Ph.D. Thesis. Multan. Bahauddin Zakariya University.

Usmani, S. H. A. (2014). A genre analysis of the Muslim family laws ordinance, 1961. M.Phil. Thesis (Unpublished). Air University. Islamabad.
Appendix I: Transitivity Analysis of Order XXXV Interpleader 1

Plaint in Interpleader Suits

//In every suit of interpleader the plaint shall, in addition to other statements necessary for plaints, state (a) that the plaintiff claims no interest in the subject matter in dispute other than for charges or costs? (b) the claims made by the defendants severally? and (c) that there is no collusion between the plaintiff and any of the defendants.//

Payment of Thing Claimed into Court

// Where the thing claimed is capable of being paid into court or placed in the custody of the court, / plaintiff may be required to so pay or place it before he can be entitled to any order in the suit.//

Procedure where Defendant Issuing Plaintiff

// Where any of the defendants in an interpleader suit is actually suing the plaintiff in respect of the subject matter of such suit, the court in which the suit against the plaintiff is pending shall, on being informed by the court in which the interpleader suit has been instituted, stay the proceedings as against him? /and his costs in the suit so stayed may be provided for in such suit? /but if, and in so far as, they are not provided for in that suit, they may be added to his costs incurred in the interpleader suit.//

Procedure at First Hearing

(1) // At the first hearing the court may (a) declare that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit?// or

(b) //if it thinks that justice or convenience so require, retain all parties until the final disposal of the suit.//

(2) // Where the Court finds that the admissions of the parties or other evidence enable it to do so, it may adjudicate the title to the thing claimed.

(3) Where the admissions of the parties do not enable the court so to adjudicate, it may direct // (a) that an issue or issues between the parties be framed and tried, and // (b) that any claimant be made a plaintiff in lieu of or in addition to the original plaintiff, and shall proceed to try the suit in the ordinary manner.//

Agents and Tenants may not Institute Interpleader Suits

Nothing in this Order shall be deemed to enable agents to sue their principals, or tenants to sue their landlords, for the purpose of compelling them to interplead with any persons other than persons making claim through such principals or the landlords.//

Illustrations

(a) // A deposits a box of jewels with B as his agent.// // C alleges that the jewels were wrongfully obtained from him by A, /and claims them from B. // // B cannot institute an interpleader suit against A and C. // (b) // A deposits a box of jewels with B as his agent. // He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. // // A afterwards alleges that C’s debt is satisfied, /and C alleges the contrary.// // Both claim the jewels from B. // // B may institute an interpleader suit against A and C.//

Charge for Plaintiff’s Costs

// Where the suit is properly instituted /the court may provide for the costs of the original plaintiff by giving him a charge on the thing claimed or in some other effectual way.//
**Transitivity Analysis of Pakistan’s Code of Civil Procedure 1908: A Corpus-Based Study**

| Where the thing… | the plaintiff | may be required to so pay or place | it | before he can be entitled… |
|------------------|---------------|-----------------------------------|----|---------------------------|
| Cir: location    | Actor         | Pr: mat                           | Goal | Cir: time                  |

| Where any of… | the court… | on being informed… | stay | the proceedings… |
|---------------|-----------|--------------------|------|-----------------|
| Cir           | Actor     | Cir                | Pr: mat | Goal |

and his costs… may be provided for in such suit;

**conj** goal pr: mat cir: location

but if, and… they may be added to his costs…

**Conj** Cir: Goal Pr: mat Cir

At the first hearing The Court May (a) declare That the plaintiff…

**Cir: contingency** Sayer Pr: verb Verbiage

(b) if it … retain all parties until the…

**Cir: contingency** Pr: mat Goal Cir: time

Where … it May adjudicate The title…

**Conjunction** Actor Pr: mat

Where it May direct (a) that an issue…, and (b) that any claimant…

**Conj** Sayer Pr: verb Verbiage

Nothing in this… shall be deemed to enable agents to sue their principals, or… for the purpose of…

**Agent** Pr: ment Actor

Where the suit is properly instituted

**conj** Goal Cir: manner Pr: mat the court may provide for the costs… of the original plaintiff by giving…

**Cir: location** Actor Pr: mat Cir: Beneficiary Cir:
### Appendix II: Transitivity analysis of U.K. Civil Procedure Rules Order 17 Interpleader

#### Entitlement to Relief by Way of Interpleader Rule 1

1. //Where— (a) a person is under a liability in respect of a debt or in respect of any money, goods or chattels and he is, or expects to be, sued for or in respect of that debt or money or those goods or chattels by two or more persons making adverse claims thereto; or (b) claim is made to any money, goods or chattels taken or intended to be taken by a sheriff in execution under any process, or to the proceeds or value of any such goods or chattels, by a person other than the person against whom the process is issued, / the person under liability as mentioned in sub-paragraph (a) or (subject to rule 2) the sheriff, may apply to the court for relief by way of interpleader.//

2. // (2) References in this Order to a sheriff shall be construed as including references to any other officer charged with the execution of process by or under the authority of the High Court. //

#### Claim to goods, etc., taken in execution Rule 2

1. //Any person making a claim to or in respect of any money, goods or chattels taken or intended to be taken in execution under process of the court, or to the proceeds or value of any such goods or chattels, must give notice of his claim to the sheriff charged with the execution of the process and must include in his notice a statement of his address, /and that address shall be his address for service.//

2. //On receipt of a claim made under this rule the sheriff must forthwith give notice thereof to the execution creditor / and the execution creditor must, within seven days after receiving the notice, give notice to the sheriff informing him whether he admits or disputes the claim.// //An execution creditor who gives notice in accordance with this paragraph admitting a claim shall only be liable to the sheriff for any fees and expenses incurred by the sheriff before receipt of that notice.//

3. //Where— (a) the sheriff receives a notice from an execution creditor under paragraph (2) disputing a claim, or the execution creditor fails, within the period mentioned in that paragraph, to give the required notice; and (b) the claim made under this rule is not withdrawn, /the sheriff may apply to the court for relief under this Order.//

4. //A sheriff who receives a notice from an execution creditor under paragraph (2) admitting a claim made under this rule shall withdraw from possession of the money, goods or chattels claimed and may apply to the court for relief under this Order of the following kind, /that is to say, an order restraining the bringing of a claim against him for or in respect of his having taken possession of that money or those goods or chattels.//

---

| Where… | the person… or the sheriff… | may apply | to the court | for relief by way of interpleader |
|---------|-----------------------------|-----------|-------------|----------------------------------|
| Cir: location | Actor | Pr: mat | Recipient | Cir: quality | Cir: manner |
| References… | shall be construed | as including… |
| Goal | Pr: ment | Cir: quality |

| Any person… | give | notice | to the sheriff… |
|-------------|------|-------|----------------|
| Actor | Pr: mat | Goal | Recipient |
| and | must | include | in his notice… a statement of his address |
| Conj | Cir: quality | Pr: mat | Cir: location | Goal |
| and | that address | shall be | his address for service |
| Conj | Token | Pr: rel | Value |
On receipt… the sheriff must forthwith give notice thereof to the execution creditor

| Circumstance        | Actor             | Quality                  | Conjunct | Materiality | Goal      | Recipient                  |
|---------------------|-------------------|--------------------------|----------|-------------|-----------|-----------------------------|
| contingency         | And                | the sheriff              |          |             |           |                             |

And the execution creditor must, within seven days… give notice to the sheriff…

| Token               | Pr: relational    | Value                    |
|---------------------|-------------------|--------------------------|
| An execution creditor… shall only be liable to the sheriff for any fees and… |

Where… the sheriff may apply to the court for relief under this Order.

| Circumstance        | Actor             | Materiality | Recipient | Quality | Location |
|---------------------|-------------------|-------------|-----------|---------|----------|
| location            |                   |             |           |         |          |
### Appendix III: Construction of Nominal Phrases in Material Clauses in CPC and CPR Data

| CPC Data | CPR Data |
|----------|----------|
| the plaintiff | the person...or the sheriff... |
| that the plaintiff claims no interest in the subject matter in dispute other than for charges or costs? | the person under liability as mentioned in sub-paragraph (a) or (subject to rule 2) the sheriff |
| (b) the claims made by the defendants severally? | |
| and (c) that there is no collusion between the plaintiff and any of the defendants | |
| plaintiff | |
| it | |
| the Court in which the suit against the plaintiff is pending | |
| the proceedings as against him | |
| his costs in the suit so stayed | notice of his claim |
| they | that address |
| his costs incurred in the interpleader suit | his address |
| the Court | the sheriff |
| that the plaintiff is discharged from all liability to the defendants in respect of the thing claimed, award him his costs, and dismiss him from the suit | notice thereof |
| him | the execution creditor |
| all parties | |
| | notice |
| An execution creditor who gives notice in accordance with this paragraph admitting a claim | |
| liable to the sheriff for any fees and expenses incurred by the sheriff before receipt of that notice | |
| the sheriff | |
| the Court | |
| Nothing in this Order | |
| | |
| A sheriff who receives a notice from an execution creditor under paragraph (2) admitting a claim made under this rule | |
| goods or chattels claimed | |
| the Court | |
| CPC Data     | CPR Data                                      |
|--------------|----------------------------------------------|
| the Court    |                                              |
| the costs of the original plaintiff |                                              |