

COGNITIVE STRUCTURING OF CRIMINAL APPEAL CASES IN PHILIPPINE AND AMERICAN ENGLISH

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ABSTRACT

Legal cases present an important resource for teachers of English for Academic Legal Purposes (EALP) because they provide material for the simultaneous practice of legal and linguistic skills. However, the comprehension of legal texts may be difficult on the part of the reader who is not an expert in the area yet. This study was a replication of the study done by Castro (1997), in which the cognitive structure of Philippine criminal cases had been analyzed. The aim of the study was to reveal the underlying cognitive structure of appeal cases in both Philippine and American English and determine obligatory and optional elements in the appeal case in both varieties of English. Fifteen American appeal cases from Lex Libris, an electronic collection of U.S. Supreme Court decisions, and 15 Philippine appeal cases compiled and published in the Supreme Court Reports Annotated (SCRA), were compared and analyzed. The model of cognitive structuring in legislative writing proposed by Bhatia (1983) was used in analyzing the data. The contrastive analysis showed that both Philippine and American Supreme Court decisions have similar underlying cognitive structures, with certain obligatory moves that are characteristic of legal cases as a distinctive genre of legal discourse. The differences revealed by the analysis were mainly in the moves within the three obligatory parts of the criminal appeal case and in the realization of the moves. Pedagogical implications of using this framework in teaching EALP are also discussed.

1. INTRODUCTION

Contrastive rhetoric in recent years has seen an increasing shift in emphasis from an analysis of student expository writing to the study of genres. For a long time the main focus of contrastive rhetoric remained the analysis of student expository essays. Later on, researchers tried to study and analyze student narrative and argumentative essays. More recently, contrastive rhetoric has expanded from studying student writing alone to examining other genres as well. Rhetoricians, for example, became interested in studying and analyzing cross-culturally such genres as research reports, abstracts and articles, business letters, legal and medical writings.

The concept of discourse community is very closely connected with the notion of genre. In his book *Genre Analysis: English in Academic and Research Settings* (1990), Swales provides a definition of genre which centers on a discourse community whose members agree on "schematic structure of discourse" (p. 58). He further states that members of the same discourse community share a certain set of communicative purposes and these purposes, in turn, dictate "structure, style, content and intended audience" (p. 58). Genre determines structural conditions that different parts of a text follow. Legal writing, for example, follows different schematic structure from the one used in business writing. The beginning, body, and ending of a legal document will have different structural conditions in comparison to the structural conditions employed in writing the same parts of a business letter. In other words, writers of different discourse communities use different strategies due to different communicative purposes addressed in their respective communities.

All these observations have led rhetoricians to start analyzing rhetorical conventions of various genres. Researchers also started comparing rhetorical strategies within the same genre cross-culturally. Cross-cultural studies expanded the specter of analyzed type of writing from student expository essays to academic and professional writing.

The study of genres does not only provide insights into the rhetorical conventions of different genres; it also provides valuable information concerning cross-cultural differences that exist within the same genre. Contrastive rhetoric research has shown that different cultures employ different structural schemata within the same genre.

The present study is concerned with one of the genres used in legal settings, namely, legal cases used in juridical settings. Legal cases form the most important part of the lawyer's and the law student's bibliography. Cases assume significance because law courts "follow their previous decisions within more or less well-defined limits" (Bhatia, 1983, p. 47). This means that cases are generally decided the same way if the material facts are the same. Another reason why legal cases constitute a crucially important legal resource for lawyers is that judges' decisions are bound to be precedents and precedents can only be deduced from previously documented cases (Bowles, 1995, p. 220).

This paper is a preliminary attempt to analyze cognitive structuring of Philippine and U.S. Supreme Court criminal appeal cases. The present study analyzes the structure of Philippine criminal appeal cases and U.S. criminal appeal cases and attempts to investigate the interplay between the text and various linguistic factors that give legal cases their particular structure. This investigation likewise attempts to replicate Castro's study (1997) as it mainly draws upon the methodology of the latter. In her study, Castro analyzed the cognitive structuring of Philippine criminal appeal cases. This study, however, aims to analyze not only Philippine criminal appeal cases, but also bring out the cognitive structuring of U.S. criminal appeal cases.

The legal cases used as data in this study are predicted to exhibit a preferred pattern or logical sequence of occurrence in their moves. This analysis of the structure of appeal cases will reveal the obligatory elements that must occur for a legal case to be an acceptable sample of the legal discourse and of the criminal appeal case genre in particular. Furthermore, it is predicted that the structure of Philippine criminal appeal cases will differ in some aspects from the structure of U.S. criminal appeal cases.

The study of legal discourse became the focus of interdisciplinary study around two decades ago. From philosophical and normative approaches to the study of legal language, researchers have shifted recently to essentially empirical approach, where they concentrate their efforts on investigating features of various genres of legal discourse and the functions those features serve (Danet, 1984). Research on the language of the law has given representation to both written and spoken discourse as they are both prominent in modern society.

Several types of linguistic analysis of the legal language have been done by researchers. Some researchers have developed discourse-level approaches (Kurzon, 1984); others have studied legal discourse at the intra-sentence level and investigated syntactic features of the legal language (Gustafsson, 1984; Hiltunen, 1984). Hiltunen's study aimed to describe and analyze the nature of clausal embedding in British legal English. Gustafsson studied different kinds of binominal expressions, a stylistic feature of legal English, in terms of syntactic parameters. There have been several studies done that deal with lexical difficulties of the legal language (Crystal and Davy, 1969; O'Barr, 1981).

2. METHODOLOGY

2.1 The Data

Ten Philippine Supreme Court criminal appeal cases for the year 2001/2002 and 10 U.S. Supreme Court criminal appeal cases for the year 2001/2002 constituted the corpus of the study. The first sample was taken from *Supreme Court Reports Annotated* (SCRA), a compilation of original reports of the Court, while the second set of data was obtained from the U.S. Supreme Court Reports, accessed through the software *Lex Libris*, a collection of legal reports and laws. The cases were chosen at random to be analyzed and compared to reveal their underlying cognitive structure.

2.2 Framework for Analysis

Though this study is a replication of Castro's (1997) study, some modifications have been made in the framework of analysis. Castro used a model of cognitive structuring proposed by Bhatia (1983) to analyze the underlying cognitive structure of criminal appeal cases. It should be noted, however, that Bhatia used his model of cognitive structuring in analyzing legislative provisions, which form a separate genre from legal cases.

The data in the present study have been analyzed following the model of cognitive structuring in legal writing proposed by Bhatia (1983). According to Bhatia, a legal case displays a typical four-move structure: (1) identifying the case, (2) establishing facts of the case, (3) arguing the case, and (4) pronouncing judgment. The third move may have three sub-moves, namely, stating history of the case, presenting arguments, and deriving *ratio decidendi*.

Castro (1997) cites a similar study by Puno (1991) in which the latter identified four parts of a traditional legal case: (1) the nature of the case, (2) the Court's findings of facts, (3) the law applicable in deciding the case at hand, and (4) the dispositive ruling. Castro notes, however, that the study of Puno did not analyze a preferred sequence of occurrence of these parts.

For the present study the preliminary part, which indicates the identification number of the case, the date when the case was decided, and the title of the case, has not been included in the analysis; only the main body of Supreme Court's decisions was analyzed.

3. RESULTS

3.1 Cognitive Structure of Philippine Criminal Appeal Cases

The different parts of a legal case have a fixed existence though the order of their occurrence may differ depending on the writing style of the *ponente*. Figure 1 below shows the cognitive structure shared by the Philippine criminal appeal cases.

Fig. 1. Cognitive structure of Philippine criminal appeal cases

Case Proper → *History of the Appeal*

- Transitional paragraph reiterating the statement of recognition and cause of action
- Judgment of the subordinate court
 - Information / Complaint
 - Prosecution's testimony
 - Facts according to the prosecution
 - Evidence
 - Medical and / or chemical tests
 - Oral and / or written statement from witnesses in the form of a direct quote, excerpt or summary
 - Objects as exhibits

Appeal Proper

- Defense's testimony
 - Facts according to the defense
 - Reasoning presenting lower court's errors / issues and contentions
- Court's opinion
 - Argumentation / Findings
 - Legislative references from statutes and textbooks and precedents from past cases

Decision on the Appeal

- Judgment of the Supreme Court
- Opinion of other justices

Fig. 2 is a sample analysis of the underlying cognitive structure of one of the Philippine Supreme Court's decisions analyzed in the study.

Fig. 2. Moves in a Philippine criminal appeal case

CASE PROPER Transitional paragraph	History of the Appeal <i>Accused-appellant Eduardo Yaoto was charged with two (2) counts of rape in the following information which reads, thus: Criminal Case No.6302-V-97....</i>
Judgment of the subordinate court	<i>WHEREFORE, finding the accused EDUARDO YAOTO GUILTY beyond reasonable doubt of the offense charged....</i>
Facts according to the prosecution	<i>At 3:00 in the afternoon of June 2, 11997, seventeen-year old Angeline Yaoto and her father.... were the only persons left in the house of Angelina's grandmother....</i>
Evidence (object)	<i>In her medico-genital examination, Dr. Armie M. Soreta-Umi...certified that Angelina suffered genital and extragenital injuries.</i>
APPEAL PROPER Reasoning presenting lower court's errors/ issues and contentions	<i>Accused-appellant contends that the trial court erred: 1. In giving full credence to the testimony of the complainant; etc.</i>
Court's opinion	<i>The arguments of the accused-appellant are not meritorious.</i>
Argumentation / Findings	<i>In a further attempt to erode Angeline's credibility, accused-appellant points out the failure of the prosecution to offer the bolo, ice pick, the chains and even the rope ... Needless to say, the prosecution is not bound to offer them in evidence... Moreover, those items are not really necessary or crucial in proving the element of force and intimidation....</i>
References based on precedent	<i>Moral damages are awarded in rape cases without need of showing that the victim suffered from mental, physical, and psychological trauma as these are too obvious to require recital by the victim during the trial (People v. Rivera, G.R.No.139 180, July 31, 2001).</i>
Court's arguments showing intertextual referencing	<i>The pertinent provisions of Article 335 of the Revised Penal Code, as amended by R.A. No. 7659, state that: ...</i>
DECISION ON THE APPEAL Judgment of the Supreme Court	<i>WHEREFORE, the decision of the Regional Trial Court, Branch 171, Valenzuela, Metro Manila, finding accused-appellant guilty beyond reasonable doubt of the crime of rape, is AFFIRMED with MODIFICATIONS.</i> <i>SO ORDERED.</i>

Case Proper

The decision of the Court consists of three main parts: the History of the Appeal (the facts of the case, the decision of the lower court), the Appeal Proper (the issue or the assignment of errors and the Supreme Court's decision) and the Decision on the Appeal (the decision of the Supreme Court on the issue).

Transition paragraph

The Philippine appeal case starts with the transitional paragraph which reiterates the nature of the case, the cause of action, and the lower court where the case was first tried:

This is an appeal from the decision of the Regional Trial Court of Caloocan City, Branch 129, dated February 5, 1998, in Criminal Case No. C-51534, convicting Dindo Amogis of the crime of rape, the decretal portion of which reads....

This is usually followed by a decretal portion of the trial court's decision. The decretal portion is either quoted directly or restated by the Justice of the Supreme Court. Here is an example:

WHEREFORE, premises considered, this Court finds the accused guilty beyond reasonable doubt of the crime charged... Accordingly, he shall serve the penalty of Reclusion Perpetua with all the accessory penalties under the law, and shall pay the costs.

The decretal portion, the part which is executed, enables a lawyer to compare the decision of the trial court with the decision of the Supreme Court.

Information

The transition paragraph is followed by Information. The Information is a paragraph-long *that* clause which officially states the charges against the accused-appellant and provides answers to the questions (who, what, when, where and how) surrounding the crime committed, as the following extract shows:

That on or about the 24th day of December 1996, in Caloocan City, Metro Manila and within the jurisdiction of this Honorable Court, the above-mentioned accused, with lewd designs and by means of threats and intimidation, did then and there willfully, unlawfully and feloniously lie and have sexual intercourse with one HELEN CALUPAS y CHAVEZ against the latter's will and without her consent.

The Information from a case's first litigation is included in the decision of the Supreme Court to provide in a nutshell the necessary background information which lays down the basis for the case to be tried before the tribunal. The inclusion of the Information serves two functions: it contextualizes the appeal and summarizes the findings of the trial court. The Information section ends with a statement that explains the reason as to why the case is ensued, as in:

Upon arraignment, appellant pleaded not guilty to the offense charged and waived pre-trial. Thereafter, trial ensued.

Prosecution's testimony

The Information part is followed by the presentation of the facts of the case by the prosecution. The prosecution's account of the facts of the case is more detailed and exhaustive than that provided by the Information. Evidence presented may include any of the following:

- (1) medical findings on injuries sustained by victims

In her medico-genital examination, Dr. Armie M. Soreta-Umil of the National Bureau of Investigation certified that Angeline suffered genital and extragenital injuries. The hymenal laceration was at 6:00 position. There were contusions on different parts of her body revealing that Angeline was not only sexually but also physically assaulted.

- (2) results of police tests
- (3) the oral or written testimony of witnesses, and
- (4) the presentation of objects involved in the commission of the crime.

Appeal Proper

Assignment of errors to lower court

This portion of the Supreme Court's decision opens with the assignment of errors that the petitioner claims the lower court has committed, as in the following excerpt:

Accused-appellant contends that the trial court erred:

- a. *in giving full credence to the testimony of the complaint;*
- b. *in not giving even an iota of weight to the testimony of the accused; and*
- c. *in imposing the death penalty in the case at bar.*

The assignment of errors is followed by the defense's testimony, where the defense presents the facts of the case from their point of view. After the presentation of the facts by the defense, the *ponente* proceeds to the assignment of errors. S/he can do it in one of two ways: (1) present an issue followed by the court's argument, or (2) present all the issues first and then deal with them one by one.

The court's opinion

The discussion of the assignment of errors is followed by the discussion of the law which is involved in the case. The Supreme Court either rebuts the facts presented by the defense or concurs with the presented arguments. The Supreme Court comments on the validity of the evidence and testimony presented by the defense.

In this part, the Justice arrives at *ratio decidendi* or principle of law used in judging the appeal case. The Justice arrives at *ratio decidendi* by abstract reasoning, by analogy and rules.

Arriving at *ratio decidendi* reveals intertextuality of the legal case, i.e. reference to other materials and texts that support the legal point that the Supreme Court is trying to decide. The decision of the Supreme Court is based on a precedent which acts as the controlling opinion on the issue at bar.

Decision on the Appeal

The Court's decision on the appeal is the final part of the structure of a criminal appeal case. This section of the criminal appeal case consists of several obligatory elements that occur in a fixed sequence.

The first element of the Decision on the Appeal is the judgment of the Supreme Court, which is the final settlement of the case. The judgment opens with a formulaic expression **WHEREFORE** and ends with **SO ORDERED**. The judgment of the trial court is either affirmed or reversed. The accused-appellant is either pronounced "Guilty" and convicted or "Not Guilty" and acquitted.

***WHEREFORE**, the Decision of the Regional Trial Court, Branch 171, Valenzuela, Metro Manila, finding accused-appellant guilty beyond reasonable doubt of the crime of rape, is **AFFIRMED** with **MODIFICATIONS**. As modified, accused-appellant is found **GUILTY** of two (2) counts of simple rape and is sentenced to suffer the penalty of reclusion perpetua for each count.*

SO ORDERED.

***WHEREFORE**, the assailed judgment of the Regional Trial Court of Caloocan, dated February 5, 1998, is hereby **REVERSED** and **SET ASIDE**. Accused-appellant **DINDO AMOGIS** is hereby **ACQUITTED** on ground of reasonable doubt, and his **IMMEDIATE RELEASE** from prison is hereby **ORDERED**.*

SO ORDERED.

The judgment of the Supreme Court is followed by the opinion(s) of other justices. If the decision is reached unanimously, then the phrase "WE CONCUR" is attached below the judgment, and the names of the concurring justices sitting en banc are listed.

3.2 Cognitive Structure of U.S. Criminal Appeal Cases

Fig. 3 below shows the cognitive structure shared by the U.S. criminal appeal cases.

Fig. 3. Cognitive structure of U.S. criminal appeal cases

Case proper → *History of the Appeal*

- Jurisprudence
- The issue
- Brief statement of the facts of the case
- The decision of the lower court (State Court of Appeals)
- Justification of the reason for granting certiorari

Appeal Proper → References based on the precedent

- Argument of the appellant
- Supreme Court's decision
- Discussion of the Court's decision
- Court's arguments showing intertextual referencing

Decision on the Appeal

- Opinion of other justices
- Judgment of the Supreme Court

Fig. 4 is a sample analysis of different moves in the cognitive structure of a U.S. criminal appeal case that was analyzed in the study.

Fig. 4. Moves in a U.S. criminal appeal case

Justice who delivered the opinion of the court	<i>O'Connor, J., lead opinion. Justice O'Connor delivered the opinion of the court.</i>
CASE PROPER	
Jurisprudence	<i>In GO>Custis v. United States, 511 U.S. 485 (1994)...</i>
The issue: the law that needs to be interpreted	<i>... we addressed whether a defendant sentenced under the Armed Career Criminal Act of 1984 (ACCA), 18 U.S.C. § 924(e), could collaterally attack the validity of previous state convictions used to enhance his federal sentence.</i>
Brief statement of the facts of the case	<i>In 1994, petitioner Earthy D. Daniels, Jr., was tried and convicted of being a felon in possession of a firearm in violation of....</i>
The decision of the lower court	<i>The District Court found petitioner to be an armed career ... and sentenced petitioner to 176 months.</i>
Justification of the reason for granting certiorari	<i>Because the Courts of Appeals are divided as to whether Custis bars under § 2255 as well as in federal sentencing proceedings, we granted certiorari.</i>
APPEAL PROPER	
References based on precedent	<i>The petitioner in Custis attempted...to attack prior state convictions used to enhance his sentence under the ACCA. 511 U.S.at GO>488.</i>
Argument of the appellant	<i>Petitioner contends that the Custis rule should not be extended to § 2255 proceedings</i>

Supreme Court's Decision	<i>We disagree.</i>
Discussion of the Court's Decision	<i>First, a district court evaluating a § 2255 motion is as unlikely as a district court engaged in sentencing to have the documents necessary to evaluate</i>
Court's arguments showing intertextual referencing	<i>Our system affords a defendant convicted See generally 1 J. Liebman & R. Hertz, Federal Habeas Corpus Practice and Procedure § 5.1. a (3d ed. 1998).</i>
DECISION ON THE APPEAL	
Opinion of other justice(s)	<i>Justice Souter says that our holding here</i>
Judgment of the Supreme Court	<i>The judgment of the United States Court of Appeals for the Ninth Circuit is therefore affirmed.</i> <i>It is so ordered.</i>

Case Proper

Decisions of the U.S. Supreme Court on criminal appeal cases usually start with stating the jurisprudence, which is the previous decision of the Supreme Court that is used as the leading and controlling decision on the issue.

Under GO>Cage v. Louisiana, 498 U.S. 39 (1990), a jury instruction is unconstitutional if there is a reasonable likelihood that the jury understood the instruction to allow conviction without proof beyond a reasonable doubt.

The jurisprudence is followed by the statement of the issue, i.e. the law that needs to be interpreted.

In this case, we must decide whether this rule was "made retroactive to cases on collateral review by the Supreme Court."

The transitional paragraph is followed by a history of the case, which may be divided into two parts: (1) a brief statement of the facts of the case and what transpired in the lower court, and (2) the remedy. The statement of the facts answers questions as to what, when, where the appellant committed the crime he was accused of, and how it was committed. The statement is usually realized in a single sentence:

During a fight with his estranged girlfriend in March 1975, petitioner Melvin Tyler shot and killed their 20-day-old daughter.

After the statement of the facts of the case, the decision of the trial court is stated, followed by the remedy, which is the appeal of the petitioner to the Court of Appeals of the State where the case was decided. The decision of the State Court of Appeals is presented.

This serves as justification for the Supreme Court's grant of the present *certiorari*, which allows it to discuss the merits of the case.

Because the Courts of Appeals are divided as to whether Custis bars relief under §2255 as well as in federal sentencing proceedings, we granted certiorari. 530 U.S. 1299 (2000).

Appeal Proper

This part of the Supreme Court's decision opens with the assignment of errors that the petitioner claims the lower court has committed. This is usually done in the following ways: (1) the petitioner presents the issue or error, (2) the Supreme Court expresses the opinion whether they agree or disagree, and (3) the Supreme Court discusses the reasons for their opinion. The justice usually presents one issue (I) or error followed by the discussion of the arguments of the court (AC): I1 → AC1 → I2 → AC2. This is exemplified by the following extract:

Petitioner contends that the Custis rule should not extend to § 2255 proceedings, because the concerns we articulated in Custis are not present in the § 2255 context. Brief for Petitioner 22-26. We disagree. First, a district court evaluating a § 2255 motion is as unlikely as a district court engaged

The discussion of the assignment of errors is followed by the substantial and exhaustive discussion of the law which is involved in the case. In this part, the justice arrives at *ratio decidendi* or principle of law used in judging the appeal case. The justice arrives at *ratio decidendi* by abstract reasoning, by analogy and rules.

Arriving at *ratio decidendi* requires intertextual referencing, i.e. reference to other materials and texts that support the legal point that the Supreme Court is trying to decide. Very often, materials which are referred to are the precedent decisions of the Supreme Court, which function as leading and controlling decisions on the issue at hand. The decision rendered on the case is deemed sound only if the Court's arguments are supported by reference to other similar cases or statutes.

This is followed by the opinion of other justices. If one of the justices en banc dissents, his brief argument is presented followed by the Supreme Court's opinion on the dissenting opinion. The full text of the dissenting opinion is usually given in the appendix of the Supreme Court's decision on the issue.

Decision on the Appeal

The Court's decision on the appeal is the final part of the structure of a criminal appeal case. The petitioner's main argument is reiterated, and the Supreme Court's arguments are stated briefly again. The decision ends with the judgment of the Supreme Court, which either affirms or reverses the lower court's decision. The formulaic expression "It is so ordered" seals the decision.

The sole basis on which petitioner Daniels challenges his current federal sentence is that two of his prior state convictions were the products of inadequate guilty pleas and ineffective assistance of counsel. Petitioner could have pursued his claims while he was in custody on those

*convictions.... Because petitioner failed to pursue remedies that were otherwise available to him to challenge his 1978 and 1981 convictions, he may not now use a 2255 motion to collaterally attack those convictions. The judgment of the United States Court of Appeals for the Ninth Circuit is therefore affirmed.
It is so ordered.*

4. DISCUSSION

The analysis of the Philippine and U.S. Supreme Courts' decisions has revealed the underlying structures of the criminal appeal cases in both Philippine and American English. The contrastive analysis shows that both Philippine and U.S. Supreme Court decisions have similar underlying cognitive structure with certain obligatory moves that are characteristic of legal cases as a distinctive genre of legal discourse. A criminal appeal case has three main obligatory parts: (1) the history of the case, (2) the appeal proper, and (3) the decision on the appeal. In decisions on criminal appeal cases handed down by both U.S. and Philippine Supreme Courts, the sequence of these three parts is fixed, although the moves within each part may differ and may be realized in different ways. For example, the Philippine Supreme Court decisions contain a very detailed presentation of facts of the case, while the U.S. Supreme Court decisions briefly present the facts of the case.

The order of the moves within each part may also differ. Despite all the differences in moves within each part of a criminal appeal case in American and Philippine English, the underlying cognitive structure is basically the same, which makes the legal case a recognizable sample of the legal genre by the members of the legal discourse community.

The analysis reveals that members of the legal discourse community share a certain set of communicative purposes and these purposes, in their own turn, dictate structure, style, content and intended audience. Legal genre determines structural conditions that different parts of an appeal criminal case follow. Particular structure of legal cases is determined by the communicative purposes they serve in the legal discourse community.

Further research can look at the characteristics of the American and Philippine English used in the legal discourse at the intra-sentence level and investigate syntactic features of the legal language of the criminal appeal case.

5. PEDAGOGICAL IMPLICATIONS

Given the framework of analysis used in this study, the learner of English for Academic Legal Purposes (EALP) will be guided in her/his reading of criminal appeal cases.

Legal documents in general, and legal cases in particular, have been found to be difficult to understand, especially by aspiring members of the legal discourse community. Given the importance of legal cases for lawyers, they are doubly useful for teachers of legal English because they provide authentic raw material for practising both legal and linguistic skills at the same time (Bowles, 1995).

It is commonly held in language pedagogy that authentic and unsimplified material should be presented to learners only when they are prepared to handle such material. Widdowson (1979) points out that "the whole point of any pedagogic procedure is to defer the learner's encounter with what he will ultimately have to deal with until he has been prepared to cope with it. The pedagogy of any subject aims at guiding learners towards their terminal behaviour by the contrivance of appropriate intervening stages" (p. 167). According to Bhatia (1983), intervening stages usually consist of simplified texts to which learners are exposed with the aim of preparing them to cope with authentic, unsimplified texts on their

own. This framework may be effectively employed as a pedagogical tool to use legal cases as input for EALP courses because it makes legal texts easier to comprehend for students of law without affecting the authenticity of the text. This framework may be used to introduce legal cases at the intervening stages.

Finally, the framework used in this study may be used in making students explicitly aware of the discourse structure of criminal appeal cases. When students understand the cognitive structure of the case, it is much easier for them to concentrate on other difficulties such as vocabulary.

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