

## Complexity in the Noun Phrase Structure of the Nigerian EFCC Act

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### Abstract

*This research examines the noun phrase structure in the EFCC Act. Other English phrases (verb, adjectival, adverbial, and prepositional phrases) are unimportant to this study except, of course, when they relate to noun phrase. The design for the research is qualitative/content analysis. The EFCC Act provides the data for the study. Noun phrases of different realisations are randomly selected from the text in order to establish the extent of their complexity or otherwise by categorizing the kinds of structure that pre-modify or post-modify the head word. These are further examined in order to establish the extent of their complexity or otherwise by categorizing the kinds of structure that pre-modify or post-modify the head word. The analysis is based on the MHQ models. Findings show that the Act is populated with complex noun phrases, and this complexity, most of the times, lies in post-modification and, at other times, in pre-modification. Sometimes, both pre-modification and post-modification are responsible for this complexity. However, complexity is more realized through post-modification than pre-modification. This complexity is a result of an attempt to restrict or limit the sense of the headword or an attempt to reduce meaning to possible exactitude or clarity.*

## 1. INTRODUCTION

Language study involves a systematic examination of language units as well as the rules or principles concerning the combination of these units (Sreekumar, 2011:20). This study may be done at numerous levels. It may be done at the level of sound, in which case it will be called phonetics/phonology. It may also be done at the level of the words that make up a language, in which case it will be called morphology. Other levels at which language may be studied include syntax, which has to do with the possible arrangement of words in a language; semantics, which examines the meaning of linguistic items; pragmatics, which focuses on the meaning derivable from the context, and so on. The present study is an endeavour in a branch of language study known as grammar. According to Olu Tomori (2004:1), the term, 'grammar', may be used to refer to 'the body of descriptive statements about the morphological and syntactic structures of a language'. In the context of this research, it is the explanations or descriptions which attempt to give the syntactic characteristics of the Noun Phrase in the Nigerian Economic and Financial Crimes Commission Act (henceforth EFCC).

The objective of this research is to examine the composition of the noun phrases in the wording of the EFCC Act. This is motivated by the need to identify the configuration of the noun phrases in the Act judging from the fact that legal texts usually have distinct language features that may set them apart from non-legal texts. Every language domain has its linguistic peculiarities. By extension the language of the legal discipline will consist of certain linguistic features that may be uncommon to other language domains. It is against this assumption that this work examines the linguistic characteristics of the noun phrase structure in the Act. A lot of studies on the noun phrase have focused on its internal structure (Radford 1988; Yusuf 2007; and Akmajian 2010); several others have examined it with respect to its function in formal texts (Matiello 2010; Lau 2017). All these studies agree that the complexity of noun phrase is a function of the complexity of its pre- and post-modifiers. With respect to legal texts, Mattiello (2010: 129) specifically finds that noun phrases indicate “the authoritativeness of the law and increasing its control over the addressee”. While the legal texts examined by Mattiello have normative value, the legal text considered in this study is economics-related. An assessment of the structure of the noun phrase in the EFCC text would reveal the coverage of Mattiello’s finding.

## 2. LITERATURE REVIEW

All the several thousands of words in human language belong to a highly restricted finite set of word level categories such as nouns, verbs, adjectives, etc. According to Faraclas (1996:34),

The human language is hierarchically structured into the word level, phrase level, clause level, sentence level and then the discourse level. Each of these levels is not only identified according to a number of lexical composition, but according to uniqueness of function within a language.

Therefore, it is possible for word-level categories to expand into corresponding phrase level categories by the addition of other words. The resultant construction due to the addition of other words to expand a major word level category is called a phrase. This is why a phrase, no matter the composition of its lexical items cannot be seen as a clause or a sentence. Therefore, some scholarly definitions of the phrase tend to consider it from the angle of its lexical composition. In this regard, Elson and Picket define the phrase as “... a unit composed potentially of two or more words, but which does not have the characteristics of a clause...” (1965:75). although this definition obviously differentiates a phrase from the clause, it gives little or no cognizance to the fact that a word can form a phrase. As such, Longacre captures this notion in his definition of a phrase as “a group of syntagmemes of a hierarchical order ranking above such syntagmemes as the word and/or stem below such syntagmemes as the clause and sentences” (1985:75). Longacre’s definition considers lexical composition as the basis for defining a phrase. However, a phrase could be recursive enough to embed a clause and so simple that it could be composed of a single lexical item. For examples,

- i. *The man who came here yesterday* is here.
- ii. *Women* are complex beings.

The underlined Noun Phrase in the first example embeds a relative clause “*who came here yesterday*”, while the Noun Phrase in the second example is made up of a lexical item-the noun “*women*”. Therefore, it will be out of order to define a phrase as solely based on the number of lexical composition. Radford (1988:65) offers a more comprehensive definition of the phrase thus;

a phrase is a group of words which are joined together following the rules of the grammar of the language. The acquisition of language is further made easy due to the fact that sentences

are not only built out of words belonging to various word-level categories, but also out of phrases belonging to the corresponding set of phrasal categories.

The literature above suggests that a phrase constitute a syntactic unit within a clause or a sentence. This unit is not usually determined by length as examples (i) and (ii) suggest above. This shows that whether long or short, a phrase consists of a key lexical item, which may exist on its own or alongside with other lexical items. Such a key lexical item is technically referred to as the head of the phrase.

The notion of the head is very important in understanding the structure of the Noun Phrase. Recent studies in grammar have increasingly shown that the concept of the head is central in syntactic analysis. The head of a construction is the most essential part of that construction (Cook and Newson, 2007:41). This obviously implies that the head of a phrase is its important element. The head is the only obligatory member of a construction, whereas the other linguistic units which may occur before or after it are optional elements which modify the head. In other words, the head of a construction gives that construction its essential character. Thus, Akmajian (2010: 205) asserts “a noun phrase is called a noun phrase because it has a noun as its head and a verb phrase is called a verb phrase because it has a verb as its head”. In the same vein, Trask (1993: 125) defines the head as “that element of a construction which is syntactically central in that it is primarily responsible for the syntactic character of the construction”.

It is a common practice in linguistics that every phrase takes its name from the most important words of that phrase which is the head. In other words, every phrasal category is built around the most important lexical category in that construction as the following expressions reveal:

- iii. The *man* in the room ... (noun phrase)
- iv. The *girl* beside the car ... (noun phrase)
- v. The beautiful *lady* at the entrance ... (noun phrase)

The above sentence constructions are noun phrases because of the italicized words which are nouns. The italicized words are the head of the constructions. Therefore, they determine the phrasal type of the constructions.

### **Theoretical Framework**

In grammatical theory, the Noun Phrase is abbreviated as (NP) and it is a phrase built around the noun as its head. As a result, a noun or pronoun can often replace the entire noun phrase construction. The structure of a noun phrase, therefore, consists minimally of the noun (or noun substitute, such as a pronoun). According to Yusuf (2007:8), the noun phrase is defined as:

... the category that codes the participant in the event or state described by the verb. The NP is headed by the noun or state described by the verb. The NP is headed by the noun or pronoun. It is by virtue of this headedness that the phrase is called the Noun phrase.

Yusuf also states that the noun phrase can contain indefinitely any number of satellites; whatever it may contain, it has to have a noun head, noted technically as  $N^0$  but which may be coded as plain N. In the same vein, Stockwell defined the noun phrase as “a cluster of words in the surface strings of which the nucleus is noun” (55). Stockwell’s definition lays emphasis on the importance and function of the headword which is the most important. He refers to the headword as the nucleus, which means the basic element in the whole sentence construction.

Tomori (2004) describes the noun phrase as a nominal group with structural features like M (modifiers), H (head), Q (qualifiers), with H as the central element. Modifiers are such linguistic items as determiners, adjectives, etc that sometimes precede the head. Qualifiers on the other hand, are linguistic items or groups of linguistic items that come after the head. Tomori (2004:57) also asserts that “it is possible to use a very large number of modifiers before the head, but it is not usual to use a very large number of qualifiers after it”. The credibility of this assertion can be seen in the following nominal constructions:

The first construction above corroborates Tomori's assertion that the noun phrase can have many modifiers before the headword. On the contrary, the second construction negates Tomori's assertion about many quantifiers occurring after the headword because though it is uncommon to find expressions with many quantifiers, it does not make such expressions ungrammatical. This shows the recursive nature of the English adverbials.

There are many ways in which legal language causes problems in comprehension, especially for a lay audience. Technical vocabulary, unusual and archaic words, impersonal constructions, use of modals like *shall*, long and complex sentences are all problematic and may give a lay reader some meaning problems. This complexity has often made legal language to have been referred to as a register, a dialect or even an argot (Peter Butt, n.p.). Indeed, it is a combination of ‘linguistic habits that have developed over many centuries and that lawyers have learned to use quite strategically’ (Butt n.p.). Butt (n.p.) further explains that:

Legal English has traditionally been a special variety of English. Mysterious in form and expression, it is larded with law-Latin and Norman-French, heavily dependent on the past, and unashamedly archaic. Antiquated words flourish, words such as *herein*, *therein*, *whereas* — words long lost to everyday language. A spurious sense of precision is conjured through liberal use of jargon and stilted formalism: *the said*, *aforsaid*, *the same*, *such* (used as an adjective). Oddities abound: for example, oath swearers do not believe something, they *verily* believe it; parties do not wish something, they are *desirous* of it; the clearest photocopy only *purports* to be a copy; and so on.

This simply means that a legal text will require an extra effort to understand, at least by a lay reader. If this is the case, it is important that the noun phrases in the EFCC Act are given some attention in order to determine the complexity (or otherwise) that constitutes them.

### 3. METHODOLOGY

The design for the research is qualitative/content analysis. The EFCC Act provides the data for the study. Noun phrases of different realisations are randomly selected from the text in order to establish the extent of their complexity or otherwise by categorizing the kinds of structure that pre-modify or post-modify the head word. The pages where the phrases are taken in the text are indicated for ease of reference. A noun phrase is considered complex if takes a pre-modifier (M) and post-modifier (Q) at the same time. The analysis is based on systemic functional grammatical model, MHQ. The suitability of this model is anchored on the fact that it has the capacity to reveal the systemic relationship between the lexical items that make up a phrase particularly with respect to dominance and constituency.

#### **4. DATA ANALYSIS**

##### **• Noun Complexity Resulting from Pre-Modification**

The pre-modification of numerous noun phrases in the **EFCC Act** contributes to their complexity. The noun phrases in the Act are pre-modified by one or more of the following: determiner, adjective, participle, noun, and adverbial. Determiners are grammatical words, and they do not perform any other function in the Act than that of grammaticality. They indicate singular indefinite nouns as in the following:

- viii. ... *a chairman, who shall* ... (p.221)
- ix. ... *a secretariat which shall* ... (p.227)
- x. ... *any offence under this Act...* (p.229)
- xi. *A person who, being* ... (p.230)
- xii. *Any person who, makes funds...* (p.231)

Some other determiners indicate definiteness especially when they are used with nouns with some uniqueness. Examples of such include ‘**the Chief Judge**’, ‘**the Federal Government**’, ‘**the Commission**’ and so on. It is important to mention that these determiners are employed merely for grammatical purpose. In addition to this grammatical function is their semantic implication of specificity and non-specificity where (viii)-(xi) indicate non-specificity and the definite determiner, ‘**the**’, indicates specificity.

At one time or the other, the head of a noun phrase is pre-modified by one (or more) adjective. Most of the time, the adjective is highly important in that it adds some information to the head. Instances of a situation where the headwords are pre-modified by adjectives are:

- xiii. ... *economic and financial crimes in Nigeria* (p.221)
- xiv. ... *special powers of the Commission* (p.226)
- xv. ... *the effective conduct of the functions of the Commission* (p.228)
- xvi. ...*that the proceeds are as a result of criminal conduct...* (p.232)
- xvii. ...*or disguise of the true nature, source, location, disposition...* (p.232)

Against the fact that these adjectives are used attributively, they somehow restrict the sense of the head. For instance, in (xiii), the adjectives are employed to restrict the sense of the headword, ‘**crimes**’, to two dimensions: economic and financial. Without the adjectives, therefore, the headword would have been open to numerous kinds of crimes, and this would have defeated the aims and objectives of the Act. In (xvii), the main headword is ‘**nature**’, and it is the one the adjective directly pre-modifies.

In the case of pre-modification by participle, the pre-modifier no less performs the function of an adjective but, due to its formation, we have decided to group them under the name, ‘**participle**’. In essence, the focus is on *-ing* and *-ed* participle verbs pre-modifying the headword. Two instances of this can be found in the text:

- xviii. *the designated Financial Intelligence Unit (FIU)...* (p.221)
- xix. ... *the coordinating agency for the enforcement...* (p.226)

There are also situations where headwords are pre-modified by nouns or *-s* genitive. These are, however, of fewer occurrences in the act. In fact, it is only once that a noun pre-modifies another noun in the EFCC Act as in **a terrorist act** (p.231). At the same time, we can only find

an instance where the head of a noun phrase is pre-modified by *-s* genitive to indicate some ownership or possession as in ‘the **person’s** property’.

- **Complexity Resulting from Post-Modification**

This is achieved through the employment of different grammatical techniques such as relativisation (restrictive and non-restrictive), apposition, post-modification by non-finite clause, post-modification by *-ed* participle, post-modification by *to* non-finite clause, post-modification by prepositional phrases and multiple modification.

Because of the need to appropriately identify the noun phrase or clearly state its function(s), the noun phrases of the EFCC Act are often post-modified by relative clauses. Sometimes, the relative clauses are restrictive in function and, at other time, they are non-restrictive. Instances of post-modification by relative clauses are:

- xx. There is a body to be known as **the Economic and Financial Crimes Commission** (in this Act referred to as “the Commission”) *which shall be constituted accordance with and shall have such functions as are conferred on it by this Act* ( p. 221)
- xxi. ... the designated **Financial Intelligence Unit (FIU)** in Nigeria, *which is charged with the responsibility of co-ordinating the various institutions involved in the fight against money laundering and enforcement of all laws dealing with economic and financial crimes in Nigeria* (p.221)
- xxii. ... a **chairman**, *who shall...* (i-iii) (p. 221-222)
- xxiii. ... a **secretariat** *which shall be headed by the secretary**who shall be appointed by the president* (p. 227)
- xxiv. A **person** *who willfully provides or collects by any means, directly or indirectly, any money from other person with the intent that the money shall be used or is in the knowledge that the money shall be used for any act of terrorism* (p.231)
- xxv. Any **person** *who commits or attempts to commit a terrorist act or participates in or facilitates the commission of terrorist act...*

In (xx)-(xxv) are noun phrases post-modified by restrictive or non-restrictive relative clauses. Constructions (xx), (xxiii), (xxiv) and (xxv) appear to be instances where the relative clauses are restrictive. Restrictive relative clauses are important to the identification of the head in each of the noun phrases. As can be seen, they exhibit different writing features from the rest of the relative clauses in that they are not marked out by commas. However, (xx) is not a true restrictive relative clause because the head of the noun phrase is clearly identified and understood even without the relative clause. Therefore, it should have ordinarily been preceded by a comma.

The remaining three demonstrate true instances of restrictive clause. In (xxiii), there is a situation where a smaller noun phrase exists in a bigger type but both are post-modified by restrictive relative clauses. ‘Secretariat’ cannot be clearly identified without the restrictive clause that follows it. At the same time, ‘secretary’ cannot be identified without the following relative clause. The same is also true of (xxiv) and (xxv) where the heads are post-modified by restrictive relative clauses.

Post-modification by non-finite clause is a common occurrence in the **Act**. An instance of post-modification by *-ing* non-finite clause can be found in the Act.

xxvi. ... all **laws** dealing with economic and financial crimes in Nigeria. (p. 221)

Here, ‘laws’ is the headword while the underlined structure functions as the post-modifier in the phrase. The underlined structure is a non-finite clause since its verb falls under one of the non-finite types (-ing non-finite). In some way, this *-ing* non-finite clause limits or restricts the sense of the headword. This means that, without the non-finite clause, the head could have referred to several law types including human right laws. This would have nullified the objectives of the Act, since it is meant to deal with economic and financial issues only.

There are also several instances where the head of a noun phrase is post-modified by *-ed* participle. Some of such instances are:

- xi. In addition to the **powers** conferred on the Commission by this Act (p. 226)
- xii. the identification and tracing of **proceeds and properties** involved in any offence under this Act (p.229)
- xiii. fails or neglect to secure authenticity of any **statement** submitted pursuant to the provision of this Act... (p.230)
- xiv. ... any **asset or property** confiscated, or derived from any proceeds ... (p.234)
- xv. Any of the **person's property or instrumentalities** used in any manner to commit or to facilitate the commission of such offence not already disclosed in the Declaration of Assets Form... (p.234)

As can be seen in the above constructions, each of the headwords in bold is post-modified by an *-ed* participle clause. In some way, *-ed* participle clause is like a reduce relative clause. This is because a *wh-* (relative) word and a corresponding *be* verb can be introduced before each of the participle clauses without running into any grammatical problem. For instance, (xxvii) and (xxviii) may be respectively re-written as ‘In addition to the **powers** which are conferred on the Commission by this Act’ and ‘the identification and tracing of **proceeds and properties** which are involved in any offence under this Act’.

On the other hand, the complexity of some of the cited examples could have been reduced by post-modifying the headword with a prepositional phrase instead of the *-ed* clause. For instance, (xxvii) may be written as ‘In addition to the **powers** of the Commission’ and (xxx) ... any **asset or property** from any proceeds ... However, it is important to note that the resultant effect will not remain the same. These possible versions of those examples do not have the same spirit as their original versions. This is because the verbs in *-ed* participle clauses carry the weight of the spirit of the clause, and its removal will definitely result in the loss of certain important information. Consequently, ‘conferred’, ‘involved’, ‘submitted’, ‘convicted’, ‘confiscated or derived’ and ‘used’ have some legal implications in the post-modifiers, and their legal implications are more forceful when used without *wh-* (relative) words.

There are some instances where post-modification is achieved through *to* non-finite clause. Some of the instances include:

- xvi. There is established a **body** to be known as the Economic and Financial Crimes Commission... (p.221)
- xvii. ... any other **person** to commit or attempt to commit, facilitate or participate in the commission of a terrorist act... (p.231)

In the above-listed constructions, the heads are modified by *to* non-finite clause. In the first of the two cases, the *to* non-finite clause indicates that the ‘body’ is yet unnamed, and that it is

named by the enactment of the Act. In the second case, however, the *to* non-finite clause expresses a (future) action that may describe an offender of the Act.

There are also several instances of post-modification by prepositional phrases. Some of such include:

- xviii. ... charged with the **responsibility** of *co-ordinating various institutions involved in the fight against money laundering and enforcement of all laws dealing with economic and financial crimes in Nigeria* (p.221)
- xix. the co-ordinating **agency** for the enforcement of the provisions of (a)-(f) (p.226)
- xx. the **appointment, promotion and disciplinary control** (including dismissal) of *employees of the commission* (p.228)
- xxi. for the **purposes** of *the application of the provisions of the Pensions Act...* (p.228)
- xxii. for the effective **conduct** of *the functions of the commission* (p.228)
- xxiii. the **arrest and apprehension** of *economic and financial crimes perpetrators* (p.229)

One thing that can be noticed in the above structures is that no single prepositional phrase has a simple complement. It is either the complement of the (larger) prepositional phrase is modified by a long or complex subordinate clause as in (xxxiv) above or the complement of the (larger) prepositional phrase is also post-modified by another prepositional phrase as in (xxxv), (xxxvi), (xxxvii), and (xxxviii). This complexity is a product of the attempt to make the head of a noun phrase devoid of vagueness. In (xxxiv), for instance, the *of*-prepositional phrase is important in the identification of the headword, 'responsibility'. In (xxxv), there is the need to modify the head, 'agency', by a *for*-prepositional phrase whose complement, 'the enforcement', also requires a modification otherwise meaning will be impaired. For instance, there could be a meaning problem if the clause where the phrase reads thus: '... the Commission shall be the co-ordinating agency'. One might ask: agency for what or in charge of what? It is this purpose that the *for*-prepositional phrase serves. In (xxxvi), the larger *of-prepositional* phrase may denote a broad meaning such as employees in general if the smaller *of-prepositional* phrase is nowhere to be found. The same is applicable to the rest of the highlighted examples.

At times, a noun phrase is made more complex through a multiple modification technique. This means that there is a combination of two or more techniques initially mentioned. An instance of post-modification by multiple modifications can be found on page 231:

- xxiv. a **person** who *willfully provides or collects by any means, directly or indirectly, any money from any other person with intent that the money shall be used or is in the knowledge that the money shall be used for any act of terrorism...* (p.231).

In this construction, 'person' is the headword of the noun phrase. However, the modifier (*who...*) consists of some elements which are also modified by another structure, which is also modified by another structure, and so on. That is, the larger modifier in the phrase above is the relative clause (*who...*). This relative clause also takes two modifiers (specifically modifying therein): *from any other person* and *with intent ...* Similarly, the modifier, 'with intent', is also post-modified by *that*-clause (*that the money shall be used ... for any act of terrorism*). What is more, the coordinator, 'or', is another technique that adds to the complexity of the phrase. The structure that follows the coordinator is also a relative clause although its relative pronoun

(*who*) has been elipted. From the foregoing, we can see that the structure of the noun phrases in the EFCC Act can be described as complex. The complexity, sometimes, lies in either of pre-modification or post-modification, but at other times, both pre-modification and post-modification combine together to cause this complexity.

## **5. FINDINGS**

An examination of the complexity of the noun phrases in the EFCC Act reveals that the pre-modification of numerous noun phrases in the text contributes to the complexity. A lot of the noun phrases in the Act are pre-modified by one or more of determiner, adjective, participle, noun, and adverbial. At one time or the other, the head of a noun phrase is pre-modified by one (or more) adjective. In such situations, the adjective appears to be highly important in that it adds some fundamental information to the head. Against the fact that pre-modifying adjectives are attributively used, they somehow restrict the sense of the head. For instance, two pre-modifying adjectives, *economic* and *financial* are employed to restrict the sense of the headword, ‘crimes’, to only two dimensions. Without the adjectives, therefore, the headword would have been open to numerous kinds of crimes, and this would have defeated the aims and objectives of the Act.

We also find noun phrase complexity resulting from post-modification. This is achieved through the employment of different grammatical techniques such as relativisation, apposition, non-finite clause, prepositional phrases and multiple modifications. Because of the need to appropriately identify the noun phrase or clearly state its function(s), the noun phrases of the EFCC Act are often post-modified by relative clauses.

This study is in agreement with Radford (1988), Yusuf (2007), Akmajian (2010), Mattiello (2010) and Lau (2017) that the complexity of noun phrase is a function of the complexity of its pre- and post-modifiers. However, it disagrees with Mattiello (2010) on the claim that noun phrases have authoritative value in legal texts by wielding certain control over their addressee. This study rather shows that noun phrases are constructed in line with the semantic expectation of writers of legal texts. As a result of making a particular concept definitive or restrictive to a particular sense, they inadvertently make noun phrases complex through pre- or post-modification. The disagreement between this study and Mattiello’s could be a result of different foci of the legal texts examined; while this particular study considers a pure legal text, Mattiello’s texts belong to strictly legal discourse and a borderline of argumentative economic and legal discourse.

## **6. CONCLUSION**

This research has focused on the structure of the noun phrases in the EFCC Act. Our analysis has revealed the complexity peculiar to the noun phrases in the EFCC Act. The complexity sometimes lies in post-modification and, at other times, in pre-modification. Sometimes, both are responsible for this complexity. However, complexity is more realized through post-modification than pre-modification. This complexity is a result of an attempt to restrict or limit the sense of the headword or an attempt to make it clearer.

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