

## Pragmatic Acts and High Standard Judgment Practices in Nigerian Divorce Court Rulings

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### Abstract

This study probes the pragmatic deployment of judicial language in Nigerian divorce court rulings through the lens of Jacob Mey's Pragmatic Act Theory (PAT). Drawing on a qualitative analysis of a High Court judgment, the paper introduces the concept of *High Standard Judgment Pract*, a macro-pragmatic framework that encapsulates judicial commitment to fairness, legal integrity, and ethical conduct. The analysis identifies four key pragmatic acts, or allopracts – *Listing*, *Reporting*, *Referencing*, and *Declaring* – which serve as the primary mechanisms through which judges structure legal arguments, interpret evidence, and pronounce verdicts. Through these acts, the judge in the analysed case demonstrates communicative precision and institutional authority while aligning rulings with both statutory obligations and culturally embedded expectations of justice. The findings reveal that judicial discourse is not merely informative but performative and ideologically driven, reflecting broader socio-legal standards and reinforcing the procedural legitimacy of divorce judgments. The paper contributes to the field of legal pragmatics by offering a context-sensitive model for understanding how language operates as a tool of legal reasoning and institutional power in Nigerian courtrooms.

**Keywords:** Pragmatic Acts, High Standard Judgment Pract, Divorce Rulings, Nigerian Courts, Judicial Discourse, Legal Pragmatics

### Introduction

Language occupies a central role in legal proceedings, functioning not only as a medium of communication but also as an instrument of power, ideology, and the administration of justice. Within the courtroom setting, particularly in the adjudication of sensitive cases such as divorce, judges employ language in deliberate and strategic ways to perform various speech acts. These acts are used to articulate intentions, interpret legal statutes, and pronounce judgments. Drawing upon the principles of pragmatics, and more specifically Mey's (2001) theory of Pragmatic Acts, this paper probes into the functional application of judicial language in real-world legal contexts. The courtroom, therefore, emerges as a discursive space wherein speech acts are meticulously crafted to uphold the ideals of justice and judicial propriety.

The need to analyze the linguistic features of judicial discourse, especially in divorce proceedings, arises from the growing concern with how such discourse reflects broader socio legal expectations and institutional norms. In jurisdictions such as Nigeria, the authority and credibility of court judgments are determined not only by their legal validity but also by the clarity, transparency, and procedural integrity with which they are presented. Consequently, a pragmatic analysis of judicial language provides a valuable lens through which one may assess how justice is linguistically constructed and communicated. This study introduces the concept of *High Standard Judgment Pract* as a pragmatic framework for examining judges' conscious efforts to align their judgments with globally recognized standards. By analyzing subcategories of pragmatic acts such as: listing, reporting, referencing, and declaring, the research explores how specific

linguistic strategies contribute to the perceived credibility and effectiveness of judicial pronouncements. Moreover, the study seeks to elucidate how pragmatic acts fulfill both functional and ideological roles within judicial discourse. In other words, it focuses on how judges use language to structure legal arguments, evaluate and weigh evidence, reference legal authorities, and ultimately deliver decisions that reflect principles of impartiality, procedural fairness, and ethical responsibility.

While significant scholarship has focused on the language of law and courtroom discourse, there is a conspicuous gap in research that pragmatically analyses judicial speech acts within Nigerian divorce proceedings through the lens of Pragmatic Act Theory. Most existing studies privilege structural, semantic, or rhetorical analyses of legal language without accounting for the contextualized functions these linguistic choices serve in real-time judicial decision-making. This study therefore, addresses that gap by offering a pragmatic analysis of how Nigerian High Court Judges employ specific speech acts to enact and justify high-standard judicial decisions in divorce cases. By isolating and categorizing allopracts such as Listing Acts, Reporting Acts, Referencing Acts, and Declaring Acts, the research not only illustrates how these elements operationalise *High Standard Judgment Pract*, but also contributes original insight into the performative nature of judicial language in Nigerian legal contexts. In doing so, the study advances the field of legal pragmatics and provides a model for analyzing courtroom communication in other socio-legal environments.

Guiding the study, are the following research question:

- i. How do Nigerian High Court Judges pragmatically deploy speech acts, specifically Listing, Reporting, Referencing, and Declaring Acts to enact High Standard Judgment in divorce proceedings?
- ii. In what ways do these speech acts reflect contextualised communicative intentions and legal performativity within the framework of Pragmatic Act Theory?

## **Methodology**

The study is a qualitative forensic linguistic research, combining textual and contextual analysis of a Nigerian high court divorce judgment. The research design is interpretive which seeks to uncover the pragmatic strategies employed by the judge in projecting legal reasoning, authority, and judicial intent. Data were purposively sampled from the judgment, which was accessed through a legal database available to the public. The selected case demonstrates a range of pragmatic strategies and contains direct judicial commentary, making it suitable for pragmatic act analysis.

## **Literature Review**

To begin with, Smith (2019) conducted a Forensic Linguistics analysis on divorce proceedings in Nigerian legal contexts with the aim of examining the role of language in divorce proceedings in Nigerian courts. Using qualitative analysis of court transcripts from the Nigerian Supreme Court alongside discourse analysis, the study found that linguistic strategies such as hedging and politeness were commonly used by petitioners to soften contentious statements, whereas more direct language was employed in cross-examinations to enhance authority. As holds for this study, our study is likewise premised on divorce suits. However, the perspective underpinning our study

differs from that of Smith (2019), in that our study is viewed strictly through the lens of pragmatic acts and various other allopracts that characterise the discourse as opposed to the hedging and politeness strategies deployed in Smith's work.

Similarly, Ali and Okoro (2020) conducted a study on the language of divorce in Nigerian Supreme Court rulings, with the objective of exploring the influence of legal language in divorce cases within Nigerian courts. Employing a corpus linguistics approach, their findings reveal that certain phrases were disproportionately used to refer to women, which may reflect broader gender biases in legal language. Furthermore, the frequent use of passive voice in these rulings was found to minimize the agency of women. As can be observed, this study shares contextual similarities with ours in that it is grounded in divorce discourse within the judicial judgment genre. Nevertheless, there is a marked difference in analytical orientation: while Ali and Okoro approach their study from the standpoint of traditional linguistics, the current paper views it from the pragmatic perspective, focusing specifically on pragmatic acts.

In addition, Adebayo and Musa (2018) examined power dynamics in Nigerian divorce trials, focusing on how power is negotiated through language in courtroom discourse. Drawing on discourse analysis and a critical linguistics framework, their findings reveal that language functions as a tool to assert dominance, with male defendants often employing authoritative language to undermine their female counterparts. Meanwhile, women commonly used mitigating language to reduce the perceived severity of their accusations. This work is relevant to our study in its demonstration of how language reflects power relations in divorce cases. However, unlike Adebayo and Musa, the present study focuses on the performative dimension of legal discourse, particularly, the judicial use of pragmatic acts to construct institutional authority and finality in rulings.

Furthermore, Ibrahim (2023) worked on Speech Act Theory in Nigerian divorce cases, with the aim of analyzing how speech acts such as promises, threats, and requests are employed in divorce discourse. Drawing from speech act theory and combining it with content analysis of divorce case transcripts, Ibrahim's findings showed that threats of harm or financial ruin were prevalent in male petitioners' language, while female petitioners often framed their requests as pleas for help, thereby exposing power asymmetries between the genders. As is evident, this study is closer to ours in terms of its object of study. However, a crucial difference lies in the theoretical framework: whereas Ibrahim (2023) relies on classical speech act theory, our study employs Pragmatic Act Theory, which allows for a more context-sensitive and non-formulaic interpretation of language use. Thus, Ibrahim's work helps establish a trajectory, but leaves a theoretical gap that our study seeks to address.

Olayinka (2018), in a study titled "*Pragmatic Markers in Divorce Litigation: A Nigerian Case Study*", explored the effect of pragmatic markers (e.g., *please*, *just*, *maybe*) on the interpretation of statements in divorce cases. Using pragmatic analysis of court transcripts, the findings demonstrated that these markers were often used by petitioners to soften their statements, occasionally resulting in ambiguity and influencing the perceived confrontational stance of the speaker. This study is similar to the current in that it shares both a pragmatic focus and an emphasis on divorce litigation. However, it does not address the broader category of pragmatic acts that characterise judicial discourse. Our study goes further by focusing exclusively on pragmatic acts and allopracts as central to meaning-making in judicial rulings.

Finally, Tiamiyu and Azeez (2025) applied discourse-linguistic tools to investigate the discourse strategies employed by Maryam Sanda, who was accused of murder, during cross-examination and re-examination in court. The study also deployed framing and stance-taking as core analytic tools in forensic discourse, grounded in Teun van Dijk's (2001) Socio-Cognitive Model. Analyzing a 112-page judgment document delivered by Justice Y. Halilu of the Federal High Court in Jabi, Abuja, the researchers found that Sanda's responses reflected self-positive representation and others-negative representation as per Van Dijk's Ideological Square. She employed blame-framing and stance-taking to strategically shift responsibility, deny incriminating evidence, and recast the incident as an unfortunate consequence of her husband's actions. Their study contributed to forensic linguistics by showing how defendants use language to construct mitigating narratives. Although the work is not situated within divorce litigation, it remains relevant for highlighting the discursive strategies individuals use in court to navigate culpability and perception. However, it does not focus on judicial speech acts, nor does it address the performative role of judges in constructing final rulings, which is central to our current study.

Taken collectively, these empirical studies provide a foundational landscape of linguistic and discursive practices in Nigerian legal and divorce discourse. They reveal how language is used to negotiate power, construct identity, frame narratives, and reflect bias. However, they also expose critical gaps, particularly in relation to how judges, as institutional figures, use language to perform pragmatic acts that serve legal, rhetorical, and ideological functions in courtroom judgments. Therefore, the present study, titled "Pragmatic Acts and High Standard Judgment Practices in Nigerian Divorce Court Rulings," aims to bridge this gap by exploring how pragmatic acts and allopracts are deployed in judicial discourse to perform institutional functions, deliver verdicts, and uphold judgmental standards. Unlike previous studies that focus primarily on litigants' language or gendered speech patterns, this research foregrounds judicial language as performative, authoritative, and pragmatically structured, offering fresh insights into the intersection of language, law, and institutional power.

### **Theoretical Framework**

Jacob Mey's Pragmatic Act Theory (PAT) (2001) provides a context-sensitive and interaction-oriented model for analysing the use of language in real-life communicative encounters. Unlike the traditional Speech Act Theory, which rigidly classifies utterances into fixed illocutionary categories such as commands, assertions, or declarations, PAT emphasises the dynamic and adaptive nature of speech as it functions within specific socio-cultural and institutional settings. At the heart of PAT lies the concept of the *pragmeme*, which refers to generalised pragmatic strategies actualised through specific *practs* (instantiated pragmatic acts). These practs are shaped not only by linguistic content but also by social, cultural, ideological, and situational factors. Mey's theory is particularly relevant to the analysis of legal discourse, where utterances are not merely informative but performative and institutional in nature. In the context of Nigerian divorce judgments, PAT allows researchers to uncover how judges deploy language to assert legal authority, validate procedural justice, mitigate interpersonal threats, and construct meanings that align with institutional norms and ethical expectations. PAT's attention to both micro-linguistic features and macro-contextual elements enables a layered interpretation of how legal speech functions beyond propositional content.

This theoretical framework suites the present study because it enables a systematic exploration of *High Standard Judgment Pract*, a macro-pragmatic act observed in Nigerian divorce rulings. Through the categories of *Listing Acts*, *Reporting Acts*, *Referencing Acts*, and *Declaring Acts*, PAT provides the analytical tools necessary to reveal how judges manage face, express intent, and legitimize their decisions within a culturally grounded legal context. In particular, the theory captures how judicial utterances are shaped not only by institutional procedures but also by ethical, religious, and moral considerations that define the communicative expectations of a Nigerian courtroom. Therefore, PAT not only aids in identifying and interpreting the pragmatic acts embedded in judicial pronouncements but also justifies their contextual appropriateness and societal impact.

## Results

### Pragmatic Acts in the Data

In the legal context, Pragmatic Acts implicate the communicative intentions of the speaker (Judges) in the court room that he wants the hearers to recognise and respond to accordingly when delivering judgments in divorce case. Thus, this study reveals the ultimate goals of the speaker (Judges) in the process of adjudicating judgment in the Court. As such, these goals are accounted for by examining diverse instantiated acts performed in the court room, using Mey's pragmatic principle as a guide. The data has revealed one main broad pract, which has been identified in the judgment. The pract is High Standard Judgment Pract.

### High Standard Judgment Pract

High Standard Judgment Pract in the context of this work refers to all instances of judgments conducted by High Court Judges in line with global standard practice and disposition to ethical and Godly conduct especially the ones related to divorce suits which is our primary focus in this paper. To achieve this broad pract (High Standard Judgment Pract), the data reveal four main categories of instantiated acts/alopracts/subpracts. These are Listing Act, Reporting Act, Referencing Act and Declaring Act. Examples are found below:

#### Listing Act

Listing Act in the context of our study implies the enumeration of the plea/prayers/exhortation/relief of both the plaintiff and the defendant in the case. The judge found these necessary to serve as a guide to deliver unbiased judgment in line with global standard practice. As such, the data reveal four categories of listing acts, these are listing act associated with Petitioner, Respondent, the issue for determination, and the standard of proof.

#### Listing Act Associated with Petitioner

This connects with the grouse of the petitioner and the relief sought via her counsel from the Judges. This, the petitioner believes necessary so as to sway the judgment in her favour. The following texts illustrates this claim:

### **Text 1**

A Decree of dissolution of marriage on the grounds of desertion, adultery, intolerance, cruelty and breakdown of marriage...

This text constitutes some of the grounds on which the petitioners predicate the dissolution of the marriage. In the text, she sought for dissolution of marriage on the ground of desertion, adultery, intolerance, and cruelty. The nominal group *dissolution of marriage* indicates **divorce** which the petitioner wants the Judge to actualise. The nominal group- '**desertion**' indicates the act of the husband leaving or abandoning home thereby putting the wife in a state of loneliness. Adultery (noun group) which means having extra marital affair that can cause psychological defect on the wife. While, *intolerance* (noun group) which means lack of absorbing a woman's fault and capable of destabilizing a woman's system. *Cruelty* (nominal group) which means wickedness, which can cause dislocation of a woman's system. To arrive at a good judgment in line with the goal of the judge which is high standard judgment in this study, the Judge considers it necessary to be guided by the plea of the plaintiff which he listed one after the other for the public to see in order to put away any form of doubt in the mind of the public in respect of the judgment delivered. The Judge considers this necessary in line with global standard practice.

### **Listing Act Associated with Respondent**

This listing act connects with the grouse of the respondent and the relief sought via his counsel from the Judges. This, he counts necessary to be sought in order to access positive judgment in his favour. The following excerpts suffice.

### **Text 2**

A Decree of dissolution of marriage on the ground that the marriage between the Petitioner and the Respondent has broken down irretrievably.

This excerpt is a response to the relief of the petitioner in text1. Upon the service of the petition on the respondent, the respondent filed an answer to the petition as well as a cross petition on the 22/2/2021. In his cross petition, he seeks the above relief. From the excerpt, it is clear that the text is on divorce indexing this is the noun group *dissolution of marriage*.

### **Listing Act Associated with the Issue for Determination**

This category of allopracts has to do with the substantive issue that will guide the Judge in passing judgment without any bias in line with standard practice. The excerpts below illustrate this better.

### **Text 3**

Whether based on the evidence adduced by the petitioner, the petitioner is entitled to the reliefs sought

The text indicates the enumeration of the issues to be determined by the Judge. As can be seen above, excerpt 3 interrogates whether based on the evidence adduced by the petitioner, the

petitioner is entitled to the reliefs sought. It constitutes the issues on which all the parties in the divorce suits want the Judge to base his judgment on.

#### **Listing Act Associated with the Standard of Proof**

This category of act indicates all instances of evidence relied upon by the Judge as proofs to arrive at unbiased judgment in divorce case. The following excerpts exemplify this.

##### **Text 4**

That the respondent has deserted the petitioner for a continuous period of at least one year immediately preceding the presentation of the petition

##### **Text 5**

That the other party to the marriage has, for this period failed to comply with a decree or restitution of conjugal rights made under this Act.

The foregoing texts constitute the grouses of the defendant that she wants the Judge to recognise and act upon as proofs to terminate the marriage in his pronouncement. From Text 4, the noun group (respondent) refers to the party in defense of allegation of matrimonial malpractices, popularly known as the defendant. Form of this marriage malpractices, is aptly expressed in text5 when the plaintiff accused the defendant known as the other party thus, *That the other party to the marriage has, for a period failed to comply with a decree or restitution of conjugal rights made under this Act*<sup>1</sup>

In text5, the noun group *conjugal right* indicates marriage tie has been alleged by the plaintiff to have been violated by the defendant which constitutes part of the serious issues for which she wishes the marriage be dissolved. This is evident in the choice of ... *failed to comply with a decree or restitution of conjugal rights made under this Act*. This means that defendant has acted in violation of the marriage right as required by the standard practice.

#### **Reporting Act**

Reporting act in the context of this paper implies the giving out/dissemination of information to the party concerned and the general public on all those things associated with the determination of the case in reference that could lead to unsentimental judgment by the Judge. In other word, it refers to the reportage of diverse claims, overtly or covertly, that the Judge might found useful in the determination of judgment in divorce case. From the data, four types of reporting act are found, these are *reporting act associated with exhibit*, *reporting act associated with cross examination*, *reporting act associated with respondent counsel* and *reporting act associated with plaintiff counsel*.

#### **Reporting Act Associated with Exhibit**

This type of reporting act is attached to exhibit of various kinds that has been admitted for proper prosecution of the case. In this context, exhibits are things presented and adopted to showcase a proof of claims made whether by the petitioner or defendant. The following excerpts illustrate this clearly:

### **Text 6**

The Petitioner/cross respondent [now referred as Pw1] testified on the 24/3/21, she adopted her witness statement on oath filed on the 19/3/2021. The marriage certificate issued to the parties on the 26/02/2007 was admitted as exhibit A.

In the above text6, the Judge is reporting all the exhibits presented to the Court. This is done to keep the people abreast of the background upon which his judgment will be based. This is to show clarity, unambiguity and seriousness of purpose to deliver judgment in line with global standard practice. Also, this is a testament to High Standard Judgment pract, which is the general act revealed in the study.

### **Reporting Act Associated with Cross Examination**

This act indicates the prior statements obtained from both the plaintiff and the defendant upon oral interview conducted on them by the counsels. Thus, the Judge practs high standard judgment by reporting to the Public the facts obtained through cross examination of the petitioner and the defendant. Example:

### **Text 7**

Under cross examination, she told the court she is now living at No 50 Mai- Uke Road, Dakwa Niger State; that the Respondent only contributed #120,000.00 to build the house; that the Respondent has never come to disturb her in her new place. She admitted under cross examination that she has a medical condition; that she didn't tell the Respondent before they got married. The petitioner closed her case. On his part, the Respondent/cross petitioner testified as Dw1. He also adopted his witness statement on oath and on being cross examined he said he had to leave the matrimonial home because after confirming to his wife that he has a child outside the marriage, the pw1 started acting strangely and he felt his life was at stake.

### **Text 8**

He said the pw1 hid her medical report from him before the marriage. He denied committing adultery; that the relationship which produced the child was an act of friendship. He stated that he did not threaten to divorce the Pw1 and further reiterates that the Pw1 from the beginning of the marriage hid her medical report from him; that she also didn't tell his uncle who introduced them to each other.

### **Text 9**

He stated that they sold the family car [Mercedes Benz] together to one Mallam; that the proceeds from the sale of the car were put into the house project, where the Pw1 is presently occupying. The Dw1 closed his case and matter was adjourned for adoption of final written address.

From text 7 to 9, it is clear that the Judge reveals that the respondent denied committing adultery *He denied committing adultery; that the relationship which produced the child was an act of friendship.* He also did not just contribute 120,000 to build the house but sold the family car (Mercedes Benz). The petitioner on the other hand in text 7 admitted under cross examination that she has a medical condition. The Judge practically assesses their credibility and effectiveness during the counsels questioning to know if the cross-examination successfully highlights any inconsistencies or if it gives new information relevant to the case so as to measure their testimonies in order to give a fair judgment.

### **Reporting Act Associated with Onus of Proof**

This act explains all instances of claims that could be laid upon by the Judge that serve as a proof in evidence to give a valid judgment so as to avoid slightest provocation because the law is that *Courts have a duty not to indulge in guesswork or speculation in their adjudication of causes or matters.* Examples:

#### **Text 10**

He argued further that no evidence was led in proof of the claim for legal expenses; that the claim being a claim for special damages, it is trite that same must not only be pleaded by the party claiming same, it must strictly be proved by the party. He relied on DUMEZ (NIGERIA) LIMITED V OGBOLI (1972) 1 ALL NLR 241 and some others in urging the court to dismiss the claim.

#### **Text 11**

The established fact here is that the petitioner has proved section 15 (2) c & d Matrimonial Causes Act to the reasonable satisfaction of the court; It is therefore in the interest of the petitioner to dissolve the marriage as same has broken down irretrievably. I so hold

#### **Text 12**

I further reiterate that he left home without the slightest provocation from the petitioner and as stated earlier the medical report or status of the Petitioner is not before the court; this court cannot begin to speculate on what is not placed before it. The law is that Courts have a duty not to indulge in guesswork or speculation in their adjudication of causes or matters.

Texts 11-12 reveal what the Judge relies upon as the onus of proof to pass his Judgment. For what is called judicial precedence in the legal parlance, the judge refers to a particular case as seen in text 11 to justify her judgment. She also refers to how the petitioner has proved section 15 (2) c & d Matrimonial Causes Act to the reasonable satisfaction of the court as seen in above. The Judge explains the emotional state the respondent left the petitioner and he acted in an unreasonable manner towards the petitioner.

### **Reporting Act Associated with Grand Judgment**

This act indicates the actual passage of judgment after the Judge has reached a final decision as guided by all the previous acts associated with reporting. As such, a full report of legal proceedings, including the Judges verdict, is rendered in which the Judge will proof beyond reasonable doubt as to why the case will favour either the respondent or petitioner. Examples:

#### **Text 13**

Thus, I hold that the marriage celebrated between the Petitioner Helen Nkemdilim Uzoma and the Respondent John Chikodili Uzoma in Agbor, Nigeria on 26/02/2007 under the Marriage Act has broken down irretrievably.

As can be seen in text 13, the declarative sentence ***I hold that...*** index performative acts, indicating that the Judge has pronounced the dissolution of marriage between the petitioner and the defendant after proving to the court beyond reasonable doubt based on the evidences obtained from all parties to the case. Linguistic expression indicate a marker of passing a judgment. The judgment, as can be seen from the excerpts, has to do with the dissolution of the marriage celebrated between the Petitioner Helen Nkemdilim Uzoma and the Respondent John Chikodili Uzoma in Agbor, Nigeria on 26/02/2007.

### **Referencing Act**

This act indicates references made by the Judge to all manner of claims of both the petitioner and the defendant to enable the Judge rules in their favour. The data show four types of referencing act. These are referencing act associated with applicant pleading, referencing act associated with defendant pleading, referencing act associated with case cited and referencing act associated with MCA. These are discussed in turn.

#### **Referencing Act Associated with Applicant Pleading**

This act indicates references made to the pleading of the plaintiff in order to sway the judgment to her side. The following excerpts suffice:

#### **Text 15**

The grounds upon which the Petitioner relies on for court to dissolve the marriage between the parties as can be seen from the pleadings and evidence: A decree of dissolution of marriage on the grounds of desertion, adultery, intolerance, cruelty and irretrievably breakdown of marriage.

#### **Text 16**

An order that costs of this petition, including the legal expenses being in the sum of #50,000.00 [Five Hundred Thousand Naira] be refunded to the petitioner by the respondent.

Texts 15 and 16 indicate the prayers sought from the Court to which the Judge makes reference as a guide to deliver quality judgment in line with global standard. We can see how the petitioner

relies on the court to give favourable judgment because she claims to have been cheated and left alone for a long period of time; and also wish to retrieve her expenses from the respondent.

### **Referencing Act Associated with Defendant Pleading**

This act indicates references made to the pleading of the defendant to enable the judgment be in his favour, as illustrated in the example below.

#### **Text 17**

Upon the service of the Petition on the Respondent, the Respondent filed an Answer to the petition as well as a cross petition on the 22/2/2021. In his cross petition, he seeks the following relief: A Decree of dissolution of marriage on the ground that the marriage between the Petitioner and the Respondent has broken down irretrievably.

In this text (17) the Judge makes reference to the plea of the defendant to dissolve the marriage. He (the judge) considers it necessary in order to deliver a quality judgment.

### **Referencing Act Associated with Case Cited**

Case cited in this study refers to all forms of court cases that have been decided and gazetted, and to which references can be made to guide Judges in the determination of cases in similar circumstances. As such, in this study, the Judge places reliance on some to previous cases that have been decided as guide to achieve high standard judgment pract. The following excerpts suffice:

#### **Text 18**

*IBRAHIM V IBRAHIM (2007) 1 NWLR (PT. 1015) 383 and some other authorities.* He states that the court must be satisfied that the Petitioner cannot reasonably be expected to live with the cross petitioner before a decree of dissolution can be granted and that the standard of behavior expected of the respondent is objective. He referred to SECTION 15 (2), 82.

#### **Text 19**

On what may constitute desertion, I place reliance in the case of *NWANKWO V. NWANKWO (2014) LPELR-24396(CA) PER HARUNA SIMON TSAMMANI, J.C.A (PP . 24-26, PARA B-E)* wherein he stated thus; "Now, the fact of desertion as ground for dissolution of marriage has been stipulated by Section 15(2)(d) of the Act, which provides that: "15(2) The Court hearing a petition for a decree of dissolution of a marriage shall hold the marriage to have broken down irretrievably if, but only if, the petitioner satisfies the Court of one or more of the following facts: (a) ... (b)... (c)... (d) That the Respondent has deserted the Petitioner for a continuous period of at least one year immediately preceding the presentation of the petition." I find it necessary to point out that desertion has been defined as the separation of one spouse from the other with an intention on the part of the deserting spouse of

permanently bringing cohabitation to an end without reasonable cause and without the consent of the other spouse.

#### **Text 20**

In that respect, desertion remains a matter of fact and law to be determined by the Court hearing the matter. See *Mrs. Helen Nwosu v. Hon. Dr. Chima Nwosu (2011) LPELR - 465 (CA); Mrs. Helen Anioke v. Mr. Ben Anioke (2011) LPELR - 3774 (CA)*. In the instant case, the type of desertion complained of is a simple desertion, as the Appellant had alleged that the Respondent had left the matrimonial home since the 15th day of July, 2011 and now lives with her parents. The Respondent did not deny that fact. It therefore remains proved that the Respondent had left the matrimonial home and no longer co-habits with the Appellant and which cessation of co-habitation had been for a continuous period of more than one year immediately preceding the presentation of the petition.

The italics in texts 18-20, as can be seen above, point to cases cited. These serve as what the Judge relies upon in delivering high quality judgment. Marking this are the linguistic items such as *I place reliance in* (text 20) and *See* (ex.20),

#### **Referencing Act Associated with MCA**

MCA is an acronym for Matrimonial Causes Acts. It is a legislation that governs the grounds for divorce, nullity, and other matrimonial causes in various jurisdictions. This kind of act is a law on matrimonial causes in Nigeria which is the **Matrimonial Causes Act of 1970**. It principally regulates marriages celebrated under or in accordance with the Marriage Act in Nigeria. The Judge therefore refers to it in this case so as to prove one or more of the grounds or facts stated as can be seen in the excerpts below:

#### **Text 21**

It is the law that a Petitioner who desires dissolution of a marriage must discharge the standard of proof stipulated by the Matrimonial Causes Act and establish in evidence one of the facts set out under S 15 MCA. He submits further that the burden of proof is on the petitioner to prove one or more of the grounds or facts stated in section 15 (2) MCA; that the petitioner failed to prove or tender any document to support the grave and weighty nature of the conduct of the cross petitioner; he argued that there is no single evidence from the petitioner to prove that since the marriage the Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live or continue to co habit with the Respondent.

#### **Text 22**

On the issue of adultery, it is the evidence of the petitioner that the cross petitioner committed adultery with another woman which resulted in the birth of a 5 year old child. Section 32 (1) MCA is to the effect that where in a petition for a decree of dissolution of marriage or in an answer to such petition, a party to the marriage is

alleged to have committed adultery with a specified person whether or not a decree of dissolution of marriage is sought on the basis of that allegation that person shall except as provided by rules of court be made a party to the proceedings. [Underlined emphasis mine]

Text 21 and 22 provide the kind of the stipulations of the MCA in the determination of issues related to marriage contraction and dissolution. To achieve high standard judgment practice, the Judge therefore places reliance on these as guide. The portion underlined is worthy of note: the judge utilizes this to place seriousness on this portion of the act.

### **Declaring Act**

To achieve high standard judgment practice, the Judge utilizes the allopract of declaring act of various types. In this study, declaring act indicates all instances of declarations, ruling, pronouncement and proclamation by the Judge, having drawn references from the arguments of plaintiff and defendant, onus of proofs, MCA, case cited etc that serve as solid guides. As revealed in the data, there are Declaring Act associated with adultery claims, Declaring Act associated with onus of proof, Declaring Act associated with grand judgement and Declaring Act associated with Defendant Proof. These are discussed in turn.

#### **Declaring Act Related with Adultery Claims**

In this type of declaring act, one of the plaintiff's allegations is that her husband is engaging in adultery for which she is seeking dissolution of marriage, and given due legal processes and procedures that guide the pronouncement of high standard judgment the Judge makes his pronouncement by declaring as follows:

#### **Text 23**

On the issue of adultery, it is the evidence of the petitioner that the cross petitioner committed adultery with another woman which resulted in the birth of a 5 year old child. Section 32 (1) MCA is to the effect that where in a petition for a decree of dissolution of marriage or in an answer to such petition, a party to the marriage is alleged to have committed adultery with a specified person whether or not a decree of dissolution of marriage is sought on the basis of that allegation that person shall except as provided by rules of court be made a party to the proceedings.

#### **Text 24**

In the case at hand, it is not in doubt that the petitioner failed to join the woman she alleged the cross petitioner committed adultery with; this is at variance with SECTION 32(1) MCA . SEE ALSO EIGBE V EIGBE (SUPRA) Therefore, I find as a fact that the petitioner having failed to comply with section 32(1) MCA on the ground of adultery against the cross respondent fails. I so hold. '

#### **Text 25**

The cross respondent admitted in evidence that he has a child outside his marriage, the only reason he was not found liable to have committed adultery is the fact that the petitioner failed to comply with SECTION 32(1) MCA.

Texts 23 to 25 above deal with the issue of adultery for which the applicant is seeking dissolution of marriage. From text23, the sentence: *The cross respondent admitted in evidence that he has a child outside his marriage* testifies to the issue of adultery as alleged by the Petitioner in excerpt 27. However, she could not access judgment on the ground *that the petitioner failed to join the woman she alleged the cross petitioner committed adultery with; this is at variance with SECTION 32(1) MCA*. In this connection, the underlining portion in excerpt 23 indicates emphasis by the Judge: that person shall except as provided by rules of court be made a party to the proceedings. This shows the importance of strict adherence to this rule before a case of adultery can be established. On this note, the Judge delivers her judgment by declaring thus: *Therefore, I find as a fact that the petitioner having failed to comply with section 32(1) MCA on the ground of adultery against the cross respondent fails. I so hold.*

### **Declaring Act Related with Desertion**

In this study, desertion constitutes instances of abscond from matrimonial home and responsibilities by either spouse for no just cause. This constitutes another ground for which the Plaintiff is seeking divorce vis a vis the declaration of judgment in line with the extant law, and in ally with high standard judgment:

#### **Text 26**

On the strength of the above authority, it is clear that the cross respondent without any provocation deserted the petitioner for a continuous period of five years immediately preceding the presentation of this petition and he never bothered to reconcile with the petitioner. It is clearly not in evidence that the petitioner conducted herself in a way the cross petitioner cannot reasonably be expected to live with her. *The petitioner If anything at all, the conduct of the cross petitioner by deserting is enough reason to cause the petitioner mental and psychological injury.*

### **Declaring Act associated with Grand Judgment**

Grand Judgment as used here refers to the final Judgment following the summation of the determination of all the prayers sought by all the parties to the case under consideration. The following excerpts illustrate this better:

#### **Text 27**

Having considered the evidence before the court, it is not in dispute that parties are no longer interested in the marriage... It is also glaring from the conduct of the cross respondent that he is no longer on the same page with the petitioner. It is quite clear from the evidence of the Petitioner before the court that the Respondent has behaved cruelly in such a way that a reasonable person cannot be expected to live

with him. Also the cross respondent failed to deem it necessary to settle the issues between him and the petitioner; this shows cruelty, lack of care, love and concern.

### **Text 28**

The established fact here is that the petitioner has proved section 15 (2) c & d Matrimonial Causes Act to the reasonable satisfaction of the court; It is therefore in the interest of the petitioner to dissolve the marriage as same has broken down irretrievably. I so hold.

### **Text 29**

In view of the fact that both the Petitioner and the Respondent have agreed in the open court not to contest the Petition and that the court should go ahead to dissolve the marriage between them, hence the marriage has broken down irretrievably for the reasons set out in the Petition paper filed in court

### **Text 30**

In all, I find that the Petitioner led sufficient evidence to the reasonable satisfaction of this court in proof of relief contained in her Petition. Thus, I hold that the marriage celebrated between the Petitioner Helen Nkemdilim Uzoma and the Respondent John Chikodili Uzoma in Agbor, Nigeria on 26/02/2007 under the Marriage Act has broken down irretrievably.

*Text 27: Having considered the evidence before the court, it is not in dispute that parties are no longer interested in the marriage...; 28: The established fact here is that the petitioner has proved section 15 (2) c & d Matrimonial Causes Act to the reasonable satisfaction of the court; text29: In view of the fact that both the Petitioner and the Respondent have agreed in the open court not to contest the Petition and that the court should go ahead to dissolve... and 30: In all, I find that the Petitioner led sufficient evidence to the reasonable satisfaction of this court in proof of relief contained in her Petition...provide the basis for the declaring act performed by the Judge. The real markers of the declaring act in the grand judgment are: ***It is therefore in the interest of the petitioner to dissolve the marriage as same has broken down irretrievably. I so hold*** (text28), hence the marriage has broken down irretrievably (text29), and ***Thus, I hold that the marriage celebrated between the Petitioner Helen Nkemdilim Uzoma and the Respondent John Chikodili Uzoma in Agbor, Nigeria on 26/02/2007 under the Marriage Act has broken down irretrievably*** (30) foreground dinstances of declaring act following the consideration of evidences provided by the parties to the case which serve as guide to the pronouncement of the judgment. The Judge perform high standard judgment driven by the allopract of declaring when he says: ***It is therefore in the interest of the petitioner to dissolve the marriage as same has broken down irretrievably. I so hold. I so hold*** as used here indicate final declaration and the seal by the Judge, thus bringing the case to an end.*

## Conclusion

The foregoing analysis of the courtroom discourse in divorce judgment settings reveals a central pragmatic goal encapsulated in what this study terms the *High Standard Judgment Pract*. This overarching pract is operationalised through the systematic use of allopracts such as Listing Acts, Reporting Acts, Referencing Acts, and Declaring Acts, each of which reflects the judge's communicative intent to maintain fairness, transparency, legal accuracy, and moral integrity. These pragmatic strategies align with global best practices and are geared toward producing unbiased and ethically sound decisions. For instance, the Listing Acts function as organizational tools that help structure the judge's interpretation of the petitioner's and respondent's claims, issues for determination, and evidentiary standards. These acts signal a deliberate attempt to frame the legal process within clear, recognizable categories that ensure all parties are fairly represented and their grievances addressed systematically.

Moreover, the Reporting and Referencing Acts further strengthen the judge's commitment to a high standard of judicial conduct by providing comprehensive accounts of courtroom exhibits, cross-examinations, and statutory or precedent-based citations (such as references to *Matrimonial Causes Act* or prior court rulings). This reinforces the authority of the court's reasoning and makes the judgment traceable and replicable in similar cases. Declaring Acts, in particular, serve as performative markers that encapsulate the outcome of the trial, sealing the verdict with phrases like "*I so hold*" to signify judicial finality. Together, these pragmatic acts not only disclose the linguistic mechanisms through which legal authority is enacted, but also illuminate how judges manage legal and moral accountability in divorce cases, emphasizing clarity, objectivity, and procedural justice. The study contributes to discourse pragmatics by demonstrating how legal language serves both communicative and institutional functions within the Nigerian judicial system.

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