

Legal Communication. The Sociolinguistic Value of Plain Language Rules

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Abstract Legal, legislative, and official texts are specific types of oral and written documents. Often, the vocabulary and unnatural grammar structures they contain make it difficult to understand them. This particularly affects the quality of communication involving non-professional discourse participants. Therefore, numerous countries around the world have recognized the need for introducing writing rules that will make official communications clear and comprehensible as far as possible. The article addresses the issue of *plain language* rules studied from the perspective of their potential to reveal the perpetuation of inequalities between authorities and citizens. It focuses on the sociolinguistic value of *plain language* rules which, from this perspective, are not just stylistic guidelines but a form of democratizing authoritarian and unequal interaction. The aim of the study was to show how *plain language* rules highlighted negative social rituals occurring within legal discourses. In the course of the analysis, hierarchizing, distancing, dominating and discriminating communicative procedures applied in the authority-citizen relationship were distinguished.

Keywords authority-citizen relationship, institutional discourse, jargon, legal language, plain language

1 Introduction

Public institutions are the source of thousands of texts intended either for a potentially wide readership (e. g., legal acts, announcements on websites) or as documents issued in individual cases. Many of these texts, however, include features of separateness, artificiality, and hermeticity. There are numerous perspectives of observation. From the linguistic perspective, their distinctiveness manifests itself, for example, in the use of special terminology, unusual vocabulary, unnatural grammatical constructions, etc. All this makes legal, administrative, or judicial texts a barrier to communication between authorities and citizens. The problem has been identified globally, and is addressed by promoting 'plain language', intended to counterbalance the established communication routines in the relationship between authorities and citizens. This article focuses on the sociolinguistic value of plain language rules, which, when viewed from this perspective, are not merely stylistic guidelines but a pragmatic change in the form of communication between authorities and the rest of society, democratizing this kind of interaction. The aim of the study is to show how the rules of plain language have highlighted social processes taking place within legal discourses (legislative, official or judicial). An attempt has also been made to describe the main cultural and social barriers in the authority-citizen relationship that can be abstracted from the rules of plain language.

The methodological basis of the analysis was complex as the problem itself is a complicated matter. For this reason, tools from sociological, sociolinguistic and psychological sciences

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were used, such as linguistic pragmatics (James 1907, Levinson 2000), social distance theory (Mulder 1977, Hofstede 2010), social dominance theory (Sidanius 1993, Sidanius/Pratto 1999, Pratto/Stewart 2011), or the concept of symbolic violence (Bourdieu 1989, Bourdieu 2002).

The first part of the article includes a detailed description of the cultural-civilizational sources of social inequalities in the context of their impact on interactions in different fields of human functioning (section 2). This is considered necessary to fully understand the rest of the article. This section aims to show how the rules of social coexistence adopted in a particular community affect the forms of communication among its members, also in official relationships. Another section contains a description of the most important aspects considered when formulating the rules of plain language, and of their actual use in legal, official, or judicial writing (section 3). The following part of the article describes the plain language rules from the perspective of their potential (section 4): firstly to democratize language in official contacts, secondly, to highlight those elements which are socially undesirable because they make communication a tool of power and discrimination. The paper closes with some conclusions (section 5).

2 From social domination to symbolic violence

In this section, we will begin by looking at the predominance of one over the other in various aspects of life – from the ease or difficulty of access to material goods, through working conditions, up to the possibility of realizing professional or political aspirations (Klebaniuk 2010: 42). Social dominance is a phenomenon that is commonly observed in hierarchically organized communities. For one group to be considered dominant, there needs to be a functioning counterbalance, i. e. the dominated group. Maintaining and perpetuating such a division leads to the perpetuation of differences and, as a consequence, to the formation of a “culture of distance” (Mulder 1977, Hofstede 2010).

The term *culture of distance* refers to the social acceptance of inequalities and the tolerance of superior-subordinate relationships in various spheres of functioning, e. g., in the family, school, or work. In family relationships, the culture of distance manifests itself through the cultivation of patriarchy, matriarchy or through the subordination of children to their parents (cf. Proverbs 13:24 “*Whoever spares the rod hates their children, but the one who loves their children is careful to discipline them*”) or by depreciating the role of children (cf. the English saying children should be seen and not heard or the Polish saying *dzieci i ryby głosu nie mają* [children and fish have no voices]). During school education, on the other hand, it is the teacher who plays the role of the person who deserves *a priori* respect from the pupil. Depending on the rules of a given educational establishment, subordination may be expressed in different ways, e. g. in order to speak, the pupil must first raise their hand and receive permission from the teacher; when answering teacher’s questions the pupil should stand up; the pupil should use appropriate forms of politeness. In the workplace, distance is defined explicitly – through the use of job-related naming units, which are not the names of the job (e. g., *salesman, driver, physician*) but linguistic signs that emphasize the division between prestigious and subordinate positions (e. g., managerial/higher position vs. lower-level position, superior vs. subordinate; white-collar vs. blue-collar, etc.).

Hofstede (2010) also describes the culture of distance using the example of the state, defining it as the unilateral dependence of the individual member of a community on the state as an organization to which a person is assigned from birth and thus without his or her knowledge or consent.

In state structures, the main dissonance is based on the *state-citizen* relationship. Dominance is somehow “given” to the state as a systemic organization. It manifests itself primarily in the institutional ordering of life, which constitutes the values that sustain the dominance of the state authorities and justifies the actions which subordinate society members to the imposed vision of the world (Mulder 1977). In this case, the culture of distance rests on two pillars. The first is the passive acceptance of the *status quo*, which by definition is beyond the control of the ordinary person and thus must be accepted by them. At the other extreme, there is the strengthening of the status of predominance/superiority of the creators and continuators of this order (the authorities and their representatives). Being accustomed to the existing conditions manifests itself, for example, in the recognition and acceptance of social inequalities between representatives of certain professional groups (e. g., lawyers, physicians, scientists) or representatives of the authorities (courts, the police, civil servants, etc.) and the remaining members of society, who, convinced of their inferiority, accept the imposed order (Hofstede 2010).

The consequence of a disproportionate balance of power which fosters a widening gap between elite and egalitarian groups lies in the reinforcement and justification of this dissonance. This phenomenon is referred to in social dominance theory (Sidanius 1993, Sidanius/Pratto 1999) according to which dominant groups seek to maintain divisions and inequalities in order to defend their superior, privileged position. Maintaining disparities between groups is also possible because elite groups have tools that are not available to the rest of the community (Pratto/Stewart 2011: 1). Depending on the specific features of the group, these may include special insider knowledge (e. g., physicians, lawyers, scientists), the ability to make laws (politicians), the ability to interpret laws (representatives of the executive and judicial professions), the ability to impose punishment (e. g., judges, police officers) and discretion in decision-making (e. g., selection boards).

The reinforcement of the belief that a particular group is superior is also supported by “legitimizing myths” (Pratto/Stewart 2011: 2). Legitimizing myths manifest themselves in the use of loaded vocabulary, which is supposed to confirm the superiority of some over others (e. g., *outstanding specialist vs. ordinary worker; statesman/true patriot vs. enemy of the nation; passionate teacher vs. old-fashioned teacher*). Legitimizing myths also employ rhetoric that portrays the actions of the elite group as appropriate and axiologically necessary (e. g., *it is for your own good; because of an important social interest; for the good of the fatherland; to maintain public order; in order to counteract the depravity of the young*). Thus, social domination consists in the desire of members of elite groups to continuously strengthen their position by cultivating the stereotype of ‘we know better; therefore we can do more’.

It should be noted that the domination of one group over another does not have to be explicitly confirmed. Sometimes the domination is invisible and therefore takes place with the tacit consent of the dominated party, which perceives its position as normal because it knows no other reality. Bourdieu calls this phenomenon “symbolic violence” (1989, 2002). According to Bourdieu, symbolic violence consists in the fact that privileged groups impose on dominated groups their own vision of the world, their values and rules as universal, proper, necessary and having no alternative. He points out that symbolic violence is based on a particular kind of obedience that the dominated cannot denounce to the dominator (Bourdieu 1986: 113). This obedience, in turn, is the result of an ongoing, systematized and long-term process of “educating” subordinate groups into believing that this is the way the world is. At the linguistic level, this pressure is visible, for example, in utterances treated as universal truths, independent of circumstances, as consent to issuing bans and orders or as depreciation of needs, opinions, achievements of the dominated group.

Symbolic violence can be seen in various areas of life. Parents dominate their children (e. g., *I am your mum and you have to listen to me¹; you are grounded till the end of the week; you better start studying; when you grow up you will change your mind; when I was your age I thought the same*), teachers dominate their pupils (e. g., *in order to say something you need to raise your hand first; as punishment you will do extra exercises*), bosses dominate their subordinates (e. g., *I am the boss here, if you don't like it here you can go, there are ten people waiting to replace you*), authorities impose rules on their citizens (e. g., *not knowing the law is harmful; the court imposes a 10-year-prison sentence on the defendant; there is no appeal from the decision*).

As already mentioned, the essence of symbolic violence is also its hidden form thanks to which it occurs, in a sense, with the consent of both parties – the dominant and the dominated. This is because the dominated groups do not recognize the oppressive nature of some of the rules imposed and begin to treat them as natural. Often these rules are internalized. In such cases the dominated groups accept the imposed norms as their own and function by obeying them (Bourdieu 1998: 57), as is evidenced by phrases such as: *this is the tradition; you have to get used to it; I am just an ordinary person; this is how it has always been; this is life; they probably know better*.

One of the most powerful generators of distance and social domination are the institutions of state power. This is because they have the capacity and instruments to introduce and maintain certain rules to which citizens must conform. This also applies to the form of communication between state bodies and citizens. The language of legal acts, court decisions, documents issued by public administration bodies is a combination of hermetic nomenclature and complicated grammatical constructions (Tanner 2000, Kowalczyk 2021). The specific language code used by the authorities, state institutions and officials is also a manifestation of their distinctiveness, strength and position. The disharmony of language competences between the representatives of authorities and citizens may significantly disrupt the efficient functioning of many areas of social and political life (Harley 2014).

An example of a highly welcome initiative to reduce disparity in contacts between authorities and citizens is provided by the proposal for using the rules of clear communication in official writing. It is an initiative that has been developing for many years and is aimed at eliminating barriers to communication between the state and the citizen. The following part of the article will be devoted to explaining how the rules of formulating messages aimed at reducing the distance and making the communication between state authorities and citizens friendly have highlighted the processes sustaining social inequalities.

3 Plain language as a form of democratizing official communication

The need to speak and write in such a way that information can be understood by non-professional participants in interaction has been debated for some time. The idea to introduce plain language grew gradually, sometimes imperceptibly (indicated by isolated comments on excessively complicated language of official documents). One of the first politicians to recognize the need to streamline official communication was Winston Churchill. In his 1940 memorandum entitled “Brevity”, the British Prime Minister wrote: “To do our work, we all have to read a mass of papers. Nearly all of them are far too long. This wastes time, while energy has to be spent

¹ The examples in this and the next paragraph are not quotations. The examples are for illustrative purposes only.

in looking for the essential points.” (Churchill 1940) In the 1970s, interest in simplifying² legal and administrative documentation was expressed by the US presidents Nixon and Carter (History and timeline). Since that, the idea to produce comprehensible documents in the official sphere has grown and gained recognition globally. Numerous examples can be given (Schriver 2017, Williams 2023); however, this article will cite only a few, as they fall outside the main topic of the present analyses:

- In the United States, a law has been introduced constituting the idea of writing “to the layman”, in the Plain Writing Act (Public Law 111 – 274); the principles of simplifying communication are also presented on a specially created website (Federal plain language guidelines).
- The Government of Canada has made a Style Guide (Content Style Guide) available online, which provides guidelines for formulating documents to be understandable to non-professional participants in discourse.
- In the UK, *plain language* is mandatory on all government websites (UK Government).
- Poland has adopted the same system for creating government websites. Similar to the British *gov.uk* pages is the Polish website *obywatel.gov.pl* (PL Government), which provides information on public services in an accessible form.
- In France, the Constitutional Council has recognized that it is the right of every citizen to understand documents received from state institutions (Décision 2001-455).

These examples alone show that the interest in simplifying communication between the authorities and citizens has become a reality.

As far as specific rules for simplifying official communications and writings are concerned, they are both diverse and universal. The specific rules for the simplification of communication are strictly related to the specifics of particular groups and language codes. The universality of the rules, on the other hand, is connected to the main goal of the *plain language*, which is the democratization of official communication. The office-citizen interaction should be clear for all participants of the discussion, it should provide equal access to information and give a chance to understand what is being said correctly. For this reason, jargon, unnatural grammatical constructions, complicated terminology and foreign language embellishments should be excluded as a matter of principle. It is these universal rules that have allowed us to see the cognitive potential of *plain language* policy, which goes beyond strictly linguistic boundaries.

4 How the plain language has revealed forms of distance, domination, and discrimination

For the purposes of this study, the *plain language* rules were taken from the official website of the United States government. This source is chosen as a generally accessible database listing the rules of comprehensible communication. Therefore, they were considered as a foundation for other, detailed catalogues of rules for simplifying official communication developed within separate structures (states, organizations, public institutions).

Universal recommendations have been extracted from the available list of tips. They are presented in a simplified form in the table below.

² Importantly, the phrases ‘to simplify language’ or ‘simplifying communication’ as used in this article refer only to writing that is complete in its content and meaning while fully comprehensible.

Write the text with the target audience in mind	Use language that makes the recipient comfortable; Put yourself in the recipient's shoes; Don't write as if you are writing to experts, lawyers, if they are not your target audience; Address the recipient directly, as if you were actually talking to them; Write so that the recipient knows who the sender is; Write positively – be specific about what the recipient needs to do, why and for what (<i>do it!</i>), not what they will face if they don't; Use natural grammar; Use examples
Organize the text (graphics, cohesion, chronology)	Start with the most important information; Start with the purpose and effect, only then indicate the rationale; Divide the text into sections and use headings; Use enumerations/lists instead of descriptions
Use general language and do not complicate your statements	Use natural vocabulary; Do not use outdated words; Do not use jargon or specific terms of art; Do not use foreign words/phrases; Ensure that the statement is unambiguous
Be concise	Leave out information that the sender does not need to know; Keep sentences short; Keep to the point and avoid digressions; Avoid a "flowery" style; Write about specifics; Avoid abstract arguments

Table 1: The universal principles of plain language

Source: Own elaboration based on Plain language guidelines (<https://www.plainlanguage.gov/>)

Analyzing the universal principles of democratizing official language, it was noted that they implicitly revealed actions by state institutions that could be pre-qualified as manifestations of domination, power and superiority. In order to clarify this detailed issue, it is first necessary to define how controversial social phenomena can be observed in apparently neutral indications of the simplification of official language. The main conclusion of the observation is that since a catalogue of desirable and undesirable communicative practices has emerged, it means that until now good practices have been somewhat rare, and the level of textual complexity has taken a destructive turn and required the implementation of corrective measures. The rules for simplifying language show that institutional texts are 'alien' to the ordinary citizen, there is no concern for meeting their needs, no desire to connect with the recipient on some common ground that is comfortable for both parties. The proposed guidelines for simplifying official texts therefore revealed that the needs of non-professional discourse participants were not being met. With this in mind, an attempt was made to consider the rules of *plain language* in terms of the social consequences highlighted by these rules.

Firstly, it was noted that the universal principles of *plain language* revealed the textual manifestation of the privileged position of authorities. This was highlighted by indications of eliminating the lofty style of expression combined with an overzealous and strenuous effort to ensure that the form of the text did not resemble general language, to make it clear that the sender was someone special.

Secondly, it was observed that rules indicated that institutional texts are characterized by communicative actions directly impeding the understanding of the content and thus limiting access to information. This is evidenced by the presence of rules designed to make the text coherent and to rid it of redundant elements.

The trends observed, based on the reflections presented in the previous section of the article, can be assigned to two main categories: distance and domination / discrimination and confusion. Table 2 shows how the perspective of looking at the principles of language simplification might change if they are ordered in terms of the impact of communicative practices on social relations.

countering distance and domination practices	countering discriminatory and confusing practices
Use language that makes your audience comfortable; Use natural vocabulary; Use natural grammar; Do not use outdated words; Address the recipient directly, as if you were really talking to them; Write so that the recipient knows who the sender is; Write positively – be specific about what you want the recipient to do (<i>do it!</i>), not what the consequences will be if they don't; Avoid a 'flowery' style; Write about specifics; Avoid abstract arguments	Put yourself in the shoes of the recipient; Don't write as if you are writing to experts, lawyers, if they are not your target audience; Use examples; Start with the most important information; Start with the objective and the effect, only then identify the rationale; Leave out information that the sender does not need to know; Divide text into sections and use headings; Shorten sentences; Stick to the point and avoid digressions; Use enumerations/lists instead of descriptions; Don't use jargon or difficult terms; Do not use foreign words/phrases; Ensure that the statement is unambiguous

Table 2: The social dimension of plain language principles

Source: Own elaboration based on Plain language guidelines (<https://www.plainlanguage.gov/>)

To illustrate the rules listed in Table 2, let us give some examples excerpted from actual official communications. The examples will be described to explain in detail the difference between a text written in an official style and a text written according to the plain language standard. Each text is followed by its version(s) reviewed and edited following the rules of clear communication.

Example 1

The original text:

“In the case of occurrence of changes affecting the amount of tax liability, the taxpayer is obliged to submit within 14 days as of the occurrence of those changes appropriate information completed on the form consistent with the adopted template (...) (PE-OF-I 3127.499.2023)”.

The original text contains 40 words. The plain language rules recommend sentences consisting of about 20 words. The text uses unusual vocabulary: *is obliged to* instead of *must*; *in the case of occurrence of changes* instead of *if changes occur/take place*. Elements of jargon are also observed that make the text considerably longer: *submit appropriate information* instead of *inform*; *the form consistent with the adopted template* instead of *the prescribed form*.

The text edited following the rules of plain language:

If changes **occur** that affect the amount of **tax liability/tax**, the taxpayer **must give information** about those changes on the **prescribed** form. The taxpayer has 14 days to do this after the changes **took place/occurred**.

If the text is sent to a specific recipient, the rules of clear communication recommend addressing the reader directly, i. e.:

If changes **occur** that affect the amount of **tax liability/tax**, **you must give information** about those changes on the **prescribed** form. You have 14 days to do this after the changes **took place/occurred**.

The text edited in line with the rules of clear communication is divided into two shorter sentences. Unusual vocabulary is changed into common language, and jargon replaced with everyday words.

Example 2

The original text:

“(…) if it was the intent of the legislator and ratio legis of the Energy Act that a sine qua non condition for a power line to be considered a direct line would be the complete absence of connection to the National Power Grid, this would without doubt be expressly said in the Act (XVII AmE 61/14)”.

In Example 2, I wish to indicate its rather grand style consisting in the use of such phrases as *if it was the intent of the legislator* instead of *if the legislator wished*; *without doubt* instead of *certainly*. The text also contains Latin phrases that may be incomprehensible to people unfamiliar with Latin legal terminology: *if it was the (...) ratio legis of the Energy Act that a sine qua non condition would be* instead of *if the sense of the Energy Act was that a necessary condition would be*.

The text edited following the rules of plain language:

(…) the absence of connection to the National Power Grid is not a necessary condition for the classification of a power line as a direct line. If it was a necessary condition, the legislator would indicate it in the Energy Act.

The single sentence is rewritten in the edited version as two sentences. Grandiloquent language is replaced with common words. The Latin phrases are replaced with familiar terms.

The following section of the article will be devoted to a detailed analysis of the categories of distance and domination and discrimination and confusion, from the perspective of the attitude of state bodies towards citizens.

4.1 *Creating distance as a sign of domination*

In the present article, *distance* is understood as the cultivation of disparities within the framework of the *exceptional-popular* dichotomy, which is the division into a dominant and a dominated subject. Building up distance means, therefore, reinforcing differences which, on the one hand, emphasize the uniqueness and dominant role of the sender (authority, office, institution) and, on the other, upset the recipient. The result is the formation of an asymmetrical relationship between public institutions and citizens. Institutions create barriers with their detached, haughty attitude towards citizens, while citizens are somehow put in the role of those who should buy into their favor.

In the linguistic sphere, this manifests itself in a move away from the use of generic language and towards a formalized, serious or dignified text. Emphasizing the uniqueness of discourse can be done in many ways. Distancing (e. g. in court) starts with ritual phrases of politeness such as *Your Honour* or the command *all rise*. These examples are not only an accepted convention, but a form of emphasizing the disproportion between the actors. The institutional sender may use sophisticated vocabulary to emphasize the importance of the moment, e. g.; *to discharge* instead of *to pay*; *to produce a document* instead of *to show a document*; *to owe an apology* instead of *should apologize*; *to spend a sum of money* instead of *spending money*; *larceny* instead of *stealing a phone*; *to pay legal costs* instead of *paying a lawyer*, etc. The ritual of distancing and domination is also a nomenclature that manifests the reification of a person to the level of a party to a proceeding, a party to a lawsuit, a party to a dispute, etc. This means that in the course of institutional discourse a person ceases to be treated only as a man named John Smith, as a citizen of the city or as a parent, and is in a sense transformed into the status of a defendant, a victim of a crime, an applicant, an interested party (in court), etc. In extreme cases, the addressee is treated as if they did not exist at all, and words are uttered as if into a vacuum. The omission of the addressee reduces the text to an instruction manual, which contains guidelines for performing a given action. The difference in the status between the sender and the addressee is manifested by ignoring the existence of a specific addressee, e. g., *Documents must be delivered by 20 April* instead of *You must deliver the documents by 20 April*. This effect is further strengthened when the entire communication is conducted with the omission of names or polite phrases such as *Mrs/Mr*, and the parties to the discourse are referred to in the text as third parties, e. g., *Does the accused plead guilty?*; *The mayor agrees to the party's request*; *The head of the tax office imposes a fine on the taxpayer*. The form of communication in which state institutions address the addressee (citizen) according to their current status in the case, and refer to themselves using the form of the third person, in a sense strips the interaction of the emotional, human factor and creates the illusion of a parallel world governed only by facts, factual elements, cold objectivity and emotionlessness. The narrative constructed in this way results in both sender and receiver being presented as abstract entities, detached from their human forms. A way of reinforcing this abstractness is also to promote passive speech. Impersonal forms add an element of soullessness to the text. In a discussion or during an argument, it is only the recipient-citizen that is exposed and visible. The sender-dominator ceases to be a real person. This is particularly evident when the sender-dominator is referred to as an institution (e. g., a court, the State of Nevada, a city hall) and a specific person, e. g., an official sending a letter to a citizen, acts only on its behalf (e. g., *it has been decided to dismiss a complaint*; *the following rules are established*; *the list of candidates has been announced*). In a sense, the sender is abstract, and the person who made a particular decision, performed a

particular action or wrote a letter is only a tangible intermediary between the transcendental institution and the material world.

Another element of distancing and domination is the introduction of complex grammatical constructions. The use of unnatural grammar constructions is not merely a linguistic device but an introduction of alienation into communication. Linguistic strangeness, in turn, evokes in the recipient a sense of unease, awkwardness, and incompatibility with the sender. Creating strangeness can move from emphasis to a formalistic, bureaucratic style. Emphasis in legal and administrative texts “exaggerates” the content and makes it manneristic, dramatic, even theatrical. An example of artificial pathos can be the use of punctuation, for example: *Rarely had the court so many doubts; Were the defendant to apologize, he would have already apologized* [omitting “if”] or a slightly archaic vocabulary (Kimble 2006: 173–174), e. g., *hereby, heretofore, whatsoever*. At the opposite extreme is the emphasis on a technocratic tone of communication and the exaggerated reinforcement of the sense of seriousness of the situation. This is fostered, among other things, by the multitude of analytical constructions. The simplest phenomena are presented as exceptional and serious issues are made even more serious, which further enhances the eccentricity of the institutional sender and the sense of alienation in the recipient. *To pay* sounds common, but *to make a payment* gives the impression of a professional financial operation, *to steal* or *to decide* are simply verbs of action, but *to commit theft* and *to intend* include an evaluation of the act and the perpetrator of the act, *proof* sounds modest, but *evidence* gives the impression of a complete, ordered and interpreted list of all the circumstances that matter.

As can be seen, the construction and reinforcement of a culture of distance and dominance by state institutions is a multi-faceted process. It can be a conscious practice or an unconscious reproduction of communication patterns and rituals to which the institutional sender is accustomed. However, as a result of these actions barriers and the deepening of the sense of contrast between the ‘distinguished’ authority and the ‘ordinary’ man are created.

4.2 Disregarding the perceptive capacity of the recipient as a sign of discrimination

According to the definition of linguistic human rights proposed by Mancini/de Witte (2008: 247 f.), one of the most important values is the right to require someone to communicate in an intelligible language. In particular, this applies to state authorities that have to ensure that everyone is treated fairly and equally in their interactions with authorities. As Varennes (2001: 16) has pointed out, fundamental human rights and in particular the principle of non-discrimination are at the root of language rights.

The principles of language simplification relating to the removal of “manifestations of power” from official texts are also intended to counteract communicative discrimination. Elements emphasizing the hegemony of the state apparatus may be defined as linguistic insignnia of power depreciating the ‘weaker’ recipient and neglecting their needs. This manifests itself in the conscious and unconscious introduction of unequal access to legal information through the creation of messages that, as a rule, are comprehensible only to those with substantive preparation and/or professional experience. Thus, if the fact whether a citizen understands the content of a document/information depends on chance (e. g., they has already been a party in a similar case), luck (e. g., they has a degree in law or a related field), or the occasional support they receives (e. g., someone from their family or friends help them interpret the text), then we are undoubtedly dealing with discrimination against a fundamental group of recipients – the

non-professional participants of the discourse. And it is the non-professional, ordinary participant of proceedings in offices or parties to court trials that should be given special care by the state authorities. The rules of *plain language* highlighting this problem are in particular those which raise the need to put oneself in the place of the recipient, and thus to construct documents taking into account the perceptive capabilities of the intended recipients. Documents or statements formulated as if they were addressed to experts and not to ordinary citizens are a sign of disregard for the needs of society, which ultimately leads to discrimination on the basis of education. One of the clearest examples of this form of ignoring non-professional participants in interactions is the frequent use of hermetic nomenclature, full of difficult terms, which for the average person can be a barrier to understanding the content (e. g., *counterclaim*; *direct evidence*; *felony*; *misdemeanor*; *plea deal*) or at least cause concern as to whether they have interpreted a particular word or phrase correctly, e. g., *expiration* instead of *end*; *expertise* instead of *ability*; *disseminate* instead of *give/issue/pass/send*, etc. It is also worth mentioning that legal terminology is only one of the problems of court and official documents, as, depending on the subject matter of the case, they contain terms from countless areas of life, including medicine, forensic medicine, psychology, agriculture, biology, economics and many others. All this can make a document impossible to decode in real life conditions for the average language user.

Another issue, which is also noted in the plain language rules as making it difficult to read and properly interpret official texts, is the use of foreign language expressions. If, in addition, such passages come from a dead language, i. e. Latin, understanding the document requires the use of a dictionary of foreign words, as it is difficult to expect anyone to be fluent in Latin. This is a complex problem as Latinisms may appear in texts in various functions, e. g., as ornaments or equivalents of native words (e. g., *elocutio*; *sine qua non*; *court a quo*) or as whole sentence constructions, e. g., legal maxims (e. g., *Ignorantia iuris nocet*; *Nemo iudex in causa sua*). Although the latter have the potential to transpose plain judgement into educational instruction, they must be understandable for the recipient, i. e. given in the native language. Otherwise they are reduced to the “paradox of Elektra” (Seuren 2005: 86–88), i. e. what is or could be intelligible ceases to be intelligible, because in the foreign-language variant it is invisible and becomes another barrier to overcome on the way to understanding the message. From a pragmatic and utilitarian point of view, the use of words, expressions and texts in a foreign language has no substantive justification, because a text ‘ornamented’ with them makes access to legal information more difficult by leading to information overload in the recipient and, as a result, discouraging them from trying to understand the words and intentions of the sender.

The information overload referred to in the plain language rules was also presented as a communication aberration. It is evidenced, for example, by recommendations to include the most important information and omit the information that is of no importance to the recipient, as well as advice to stick to the point, order the information, avoid digressions and very long sentences. This is a prerequisite to ensure that an excess of cognitively empty text does not turn a message/document into a jumble of words through which one has to cut in order to extract what really matters. Of course, it may be assumed that those directly involved in a particular official or court case will try to determine the essence of unclear messages, but it is worth recalling at this point the thesis of Petty/Cacioppo (1986a, 1986b) which states that a large number of complex messages will cause discourse participants with the strongest cognitive motivation to decode them, while others will give up. This is also supported by the concept of social attitudes (Sherif/Cantril 1947, Sherif/Sherif/Nebergall 1965), according to which the

motivation to determine the meaning of a message is directly proportional to the commitment to the issue. The assumption, however, that if someone cares a great deal about understanding a message, they will go to great lengths and put a lot of effort into the process of understanding it, is a blatant disregard for maintaining democratic and ethical standards (Willerton 2015) in office-citizen communication.

On the basis of the above reflections, it can be concluded that the creation of complex messages with an unnatural lexical layer becomes a source of cognitive exclusion. Cognitive exclusion in this case is the limitation of human and civil rights to obtain reliable legal information enabling a person to assert and defend their rights. In other words, it is building a 'glass ceiling' of symbolic violence by using language that, instead of explaining the reality to the recipient, complicates it. It is a kind of discrimination against the needs of non-professional participants in communication, leading in consequence to their alienation.

5 Conclusions

The article presents reflections on the influence of conventions of social coexistence on the quality of communication of its members. One such communication convention includes official contacts between authorities and citizens. For this reason, the main part of the article is devoted to the description of the plain language rules from the perspective of their potential to democratize language in official contacts and highlight the incompatibility of official texts with social needs. The perspective adopted made it possible to identify the basic communication barriers in the contacts between authorities and citizens from the plain language rules.

First of all, it was noted that some of the plain language rules are aimed at limiting the uncontrolled manifestation of the privileged position of authorities (e. g., manneristic stylization of speech). Rules were also formulated addressing the need for writing that does not limit citizens' access to legal information.

The trends observed were assigned to two main categories: countering practices of distance and domination and countering practices of discrimination and confusion. It was found that practices of distance and domination consist in reinforcing the asymmetrical relationship between public institutions and citizens by emphasizing the dominant role of institutions. It was shown that the rituals of distance and domination include the use of sophisticated vocabulary, complicated and unnatural grammatical constructions, or a specific style of formulating messages (from formalistic, through technocratic, to emphatic). On the other hand, as far as the practices of discrimination and confusion are concerned, it was found that they generally referred to the formulation of texts without taking into account the perceptive capabilities of the recipient. This manifested itself in the use of hermetic nomenclature saturated with difficult terms, the construction of very long sentences, the introduction of foreign expressions into the text or unnecessary digressions. It has been shown that such actions lead to information overload and, in extreme cases, to cognitive exclusion.

A review of the rules of language simplification in terms of their sociolinguistic value revealed that the spectrum of rituals perpetuating inequalities between participants in institutional discourses is extremely wide. In turn, the plain language rules themselves have highlighted the incompatibility of official texts with social needs. Institutional documents (legal, juridical, official) have acquired such a number of manneristic linguistic customs that they tend to complicate rather than clarify reality.

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