

Controlling Predicates of Complement Clauses in Treaty Preambles: A Syntactic-Semantic Approach

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Abstract

Although they represent optional elements in most legal documents, preambles constitute an essential part in the structure of treaties. Aware of the impact the preamble may have on the interpretation of the treaty, law drafters peculiarly structure this opening part around one single sentence within which a number of subordinate clauses are embedded. Among these, complement clauses are strikingly redundant. Taking into account the evaluative potential of the latter clauses, this paper aspires to uncover the persuasive function of treaty preambles by analyzing the controlling predicates of complement clauses. The quantitative and qualitative analyses of 70 preambles of international agreements have shown that legal draftsmen carefully choose controlling predicates that go hand in hand with the communicative functions of the preamble. The head nouns, adjectives or verbs picked in the analyzed preambles, thus, differ in their syntactic and semantic properties in accordance with the stance treaty drafters intend to convey.

Keywords: preambles, treaties, controlling predicates, persuasive, stance

1. Introduction

By virtue of possessing exceptional and peculiar linguistic features, legal discourse, with its various sub-genres, has long been an attractive subject of study for researchers (Williams, 2007; Bhatia, 2010) who were intrigued to uncover the structural and grammatical specificities that make this discourse stand out as an independent genre type. When it comes to the Preamble, however, interest in understanding its defining characteristics has been noticeably rare (Frosini, 2010, p. 1). Despite being the opening part of a great deal of legal documents such as claims, constitutions, statutes, acts of parliament and resolutions, the Preamble has received little attention for it is surrounded with controversy regarding its legal nature and effect compared to the core text of the documents it accompanies (ibid.). Even the few studies (Goldsworthy, 2000; Weng, 2005; Twomey, 2011; Vainiuté, 2012) dealing with Preambles focussed on stressing the legal validity of these introductory elements by outlining their different functions and roles. Content-based rather than language-oriented inquiries have, then, been more prominent while analyzing different types of preambles. Ironically, in spite of their omnipresence in treaties as essential parts, treaty preambles have also been scarcely evoked by legal scholars whether in their form or content. Carvalho (2011), however, clearly states that “between the Preamble and the provisions of the treaty, there is a linguistic difference” (p. 90). By analyzing the use of pronouns in treaty preambles, Carvalho (2011, p. 90) concludes that these opening parts have their unique language that distinguishes them from the rest of the treaty text. This language cuts with the normative nature of international treaties and is rather persuasive and subjective.

Following in Carvalho’s footsteps and attempting to cover an obvious gap, the current article aspires to further spot the structural features of treaty preambles through the investigation of the controlling predicates of complement clauses. Considering their attested evaluative potential (Biber, Conrad & Leech, 2002), studying the introductory heads of complement clauses is likely to yield further insights into how treaty drafters invest their stance in particular linguistic chunks of the Preamble. While employing noun heads of complement clauses to mark one’s position has been proved true in the case of court hearings (Kanté, 2010), it is interesting to check whether this is the case in treaty preambles. Accordingly, the primary aim of this paper is to bring to the fore the functional properties of controlling predicates the way they are used in the selected corpus and try to link them to the communicative functions of the Preamble.

2. Literature Review

Alternatively named nominal clauses for they function similarly to noun phrases, complement clauses represent one functional category of subordinate clauses (Greenbaum & Nelson, 2002). These noun clauses can, in turn, be classified into four main types of clauses which are that-clauses, wh-clauses, to-infinitive clauses and ing- clauses (Leech & Svartvik, 2002, p. 228). What is peculiar about complement clauses is that the English language permits for each of these categories to be preceded by more than one type of head. According to Biber, Johansson, Leech, Conrad and Finegan (1999), complement clauses function essentially to “complete the meaning relationship of an associated [predicate] in a higher clause” (p. 658). That predicate can be a verb, an adjective or a noun which controls the content of the complement clause, hence the appellation ‘controlling predicates’ (ibid.). Depending on the predicate it attaches to, then, the meaning as well as the functional potential of the complement clause changes. Following Biber et al.’s (1999) model which specifies the different semantic domains each predicate type can belong to before a nominal clause, the present study aims at extracting and classifying all the head predicates of complement clauses in the corpus in order to check their compatibility with the legal draftsmen’s position.

2.1. Nominal Predication

Nominal clauses preceded by nouns as their controlling predicates are called noun complement clauses (Biber et al., 2002, p. 300). Unlike relative clauses which can modify all kinds of nouns, nominal clauses are known for their restrictive nature when it comes to picking their controlling nominal heads (Downing & Locke, 2006, p. 457). However, the versatility in complement clauses headed by nouns, as Biber et al. (1999, p. 645) suggest, comes from their liability to be shaped in all four types of nominal clauses. It should be noted, nonetheless, that to-infinitives and that-clauses are the commonest categories of noun complement clauses. Because each of these categories is preceded by a specific set of head nouns that is different from other categories, it is important to outline the various kinds of nominal predicates that introduce each structural type of complement clauses.

Biber et al. (2002, p. 303) claim that noun complement clauses formulated in that-clauses are one of the most frequent devices used to mark the author’s stance in written discourse. Indeed, the ‘that-clause’ alone functions only to report a proposition while it is the reporting head that carries the writer’s position towards that proposition by presenting it “in a particular light, which conveys different types of stance, depending on the noun used” (Downing & Locke, 2006, p. 458). Biber et al. (2002, p. 303) distinguish two main kinds of stance expressed by nominal predicates of that-clauses. The first set of head nouns express a personal assessment of the certainty of the proposition (ibid.). This type includes nouns such as *possibility*, *claim*, *assumption*, *notion* and *hypothesis*. As for the second type of stance that noun heads can transmit, it has to do with “the source of information expressed in the that-clause” (ibid.). That source of knowledge, in view of Biber et al. (1999, p. 648), can be based on linguistic communication (*claim*, *report*, *suggestion*, *proposal*), cognitive reasoning (*idea*, *observation*, *assumption*) or personal belief (*doubt*, *hope*, *opinion*, *belief*). Downing and Locke (2006, p. 458) notice that noun that-clauses generally express stance in an indirect way since they pick abstract head nouns to precede them. These nominal predicates are also often made definite and most of them are nominalised versions of verbs, which shows their usefulness in highlighting the proposed information and back grounding the stance of the person presenting it (Biber et al., 2002, p. 304).

Unlike their finite counterparts, to-infinitive noun complement clauses are not typical stance markers (ibid.). Instead of signalling the writer’s attitude towards the proposition encoded in the infinitive clause, thus, nominal predicates in this structural type of complement clauses function to “point to human acts or goals” (Downing & Locke, 2006, p. 459). Examples of noun heads functioning in this direction include *attempt*, *desire*, *decision*, *intention*, *determination*, *tendency* and *willingness* (Biber et al., 1999, p. 653). Just like nominal predicates of that-clauses, head nouns of infinitival complements have their corresponding verbal and adjectival versions that can equally control to-clauses (ibid.).

When they occur before nominal ing-clauses, nominal predicates are most of the time followed by the preposition *of* (Nováková, 2008, p. 35). Opposite to the case of the infinitival clause and the that-clause where there is no overlap between the set of head nouns controlling each one of them, the nominal predicates governing ing-clausal complements can take other complement types (Biber et al., 2002, p. 305). The head nouns *idea*, *hope*, *possibility*, *chance* and *intention* are instances of predicates that do not occur exclusively in present participial complements (Biber et al., 1999, p. 655).

It should be pointed, however, that there are still a couple of head nouns that can introduce only ing-clauses functioning as complements. These include the nouns *cost*, *task* and *problem*, just to cite a few (ibid.).

The wh-clause is the least common type of complement clauses controlled by nominal predicates since it is almost exclusively introduced by the noun *question* (Biber et al., 2002, p. 306). Wh-clauses are rather more productive when the preposition *of* comes before them. This ‘of + wh-clause’ structure widens the repertoire of nominal heads that can precede the complement clause. This repertoire offers a number of various semantic domains such as speech communication (*explanation, discussion, and account*), exemplification (*example, illustration*) and cognitive states (*knowledge, sense, analysis*) (ibid.).

2.2. Verbal Predication

Similarly to nominal predication, head verbs are more productive with certain complement clauses than with others. That-clauses, to-infinitives, ing-clauses and wh-clauses seem to be as usual more common with verbal predicates than their past participial and bare infinitival counterparts (Downing & Locke, 2006, p. 102). Starting with that-clauses, Biber et al. (2002) state that the typical function of these complement clauses when they are in a post-predicate position is to “report the speech and thought of humans” (p. 312). They (2002) further state that conveying this function can be carried out with the help of various kinds of verbs belonging to different semantic classes. This variation allows for the choice of the appropriate verbal predicate in relation to the stance the author wants to convey. Indeed, unlike their nominal agnates, verb complement clauses with ‘that’ convey stance in a direct way by attributing it to the subject of the controlling verb (Biber et al., 2002, p. 304). The classification of verbal predicates preceding nominal that-clauses is summarized in Table 1.

More various in functions than that-clauses, infinitival complements introduced by verbal predicates can, in addition to reporting speech and mental states, convey “intentions, desires, efforts, perceptions, and other general actions” (Biber et al., 2002, p. 328). This richness in terms of communicative functions can be attributed to the wide range of semantic domains to which infinitival head verbs belong. The ten distinct semantic categories of verbal predicates as outlined by Biber et al. (1999) can be checked in Table 2.

Akin to infinitival complements, nominal ing-clauses can be employed to convey numerous functions depending on the semantic class of the predicate that controls them (Biber et al., 2002, p. 344). Although it is possible for complement ing-clauses to be preceded by various kinds of verbal predicates, it is particularly common for them to follow aspectual verbs such as *begin*, *start* and *stop* (Biber et al., 1999, p. 739). Other less frequent semantic domains include, as Biber et al. (1999, p. 740) specify, communication and speech act verbs (*suggest/talk about*), cognition verbs (*consider, decide about*), perception verbs (*imagine*), verbs of affective stance (*like, detest, worry about*), verbs of description (*describe, find*), verbs of effort (*try, assist in*), verbs of agreement (*permit, allow, agree to*), verbs of avoidance and obligation (*avoid, resist*), verbs of offense or apology (*apologize for, accuse of*) and verbs of required action (*need, want*). Downing and Locke (2006, p. 112) remark that, notwithstanding some points of convergence between the semantic domains of head verbs controlling infinitival and ing-clauses, it is the meaning expressed by both types of complements that sets them apart. To explain more, ing-clauses tend to be associated with factual meanings and actions in progress while infinitive complements appear to be linked more to hypothetical events to be realized in the future (ibid.).

Wh-clauses represent the last common type of complement clauses introduced by verbs. Biber et al. (2002, p. 322) identify three main categories of wh-complement clauses: interrogative clauses, nominal relative clauses and exclamatives. Whereas the first two types use the same wh-words except for *whether* which is reserved exclusively to interrogatives, exclamative clauses start with *what* or *how* (ibid.). Despite their liability to come with various kinds of verbs belonging to different semantic domains, wh-clauses functioning as complements are not very productive when it comes to written discourse. Rather, their use seems to be more common in conversation where particular verbs such as *know* and *say* are favored (Biber et al., 2002, p. 326).

2.3. Adjectival Predication

Not making the exception, head adjectives controlling complement clauses are liable to introduce all four categories of nominal clauses. What is special about this type of predication, however, is that “all adjectives which can take complements indicate the speaker’s or writer’s stance with respect to the proposition stated in the complement” (Downing & Locke, 2006, p. 494). With that-clauses, the author’s evaluation of the proposition is particularly fore grounded because adjectival predicates “typically occur with a human subject, so that the associated stance is tied directly to that person” (Biber et al., 2002, p. 318).

Semantically, adjectives taking that-complements fall into two main domains: degree of certainty (*certain, confident, convinced, sure*) and affective states (*amazed, aware, careful, concerned, and determined*) (ibid.). The other type of finite clauses, the *wh*-clause, can also follow adjectival predicates of certainty and emotion but unlike that-clauses, they are not favored in academic prose as Biber et al. (1999, p. 684) notice.

For non-finite clauses introduced by adjectives, *to*-infinitives seem to be the most productive as they can be preceded by adjectives belonging to seven different semantic categories. These are, as outlined by Biber et al. (1999, p. 716), degree of certainty (*certain, sure, unlikely*), ability or willingness (*able, determined, keen*), personal affective stance (*surprised, glad, sorry*), ease or difficulty (*easy, hard*), evaluation (*good, convenient, useless*), habitual behavior (*used*) and necessity or importance (*important, essential*). On the contrary, *ing*-clauses working as complements of adjectives occur with predicates belonging to a more restricted set of domains. Actually, according to Biber et al. (2002, p. 347), in most cases, the adjectival *ing*-clause expresses either a personal feeling or attitude or evaluates the information encoded in the formulated proposition.

To sum up, depending on the type of predicate it occurs before them, complement clauses bear distinct communicative functions that generally reflect different degrees of stance from which the writers can choose the ones that best suit their purposes. In this article, following the classification proposed by Biber et al. (1999), there will be an attempt to check the most used types of predication in treaty preambles and account for their frequency. To do this, a couple of quantitative and qualitative methods are applied on the corpus as explained in what follows.

3. Corpus and Methodology

The corpus selected for analysis in the present investigation is extracted from international agreements pertaining to the field of international law. A total of 70 treaty Preambles counting 22 885 words are gathered from the websites of the US Department of State, the UNESCO organization, the International Atomic Energy Agency (IAEG), the International Committee of the Red Cross organization, the United Nations, the UN Refugee Agency, the European Union, the World Intellectual Property Organization and the Human Rights Library. Collecting Preambles occurring in treaties published in distinct sites is done with the purpose of guaranteeing variety in terms of the subject matter as well as the parties involved in the agreements. As such, the selected Preambles deal with issues related to the environment, human rights, nuclear weapons, intellectual property, maritime regulations and transport among others.

Since Preambles make part of the international agreements which belong to the professional genres in legal discourse, they fall under the normative category of texts, one whose function is to construct the law through the creation of norms that define people's obligations and rights (Bhatia & Bremner, 2014). Such construction happens only with the abidance by agreed-upon formalities that require legal draftsmen to write as precisely as possible (Bhatia, Candlin & Engberg, 2008). As Bhatia and Bremner (2014) put it, every word legal professionals use is carefully calculated lest it leads to misinterpretations or misunderstandings concerning their intentions. As far as treaty Preambles are concerned, although previous research (Calvalho, 2011, etc) attests to the peculiarity of these introductory parts as reflecting features that are not purely normative, it is also a fact that the preambular statements preceding a convention are taken into account while interpreting a treaty in court. It seems, therefore, logical that treaty drafters still wish to make their opening message as carefully-worded as the core text so that it will not include ambiguities or contradictions that can be taken against them in court. In the present paper, it is hypothesized that fulfilling such goal is carried out with the help of different kinds of predicates that are wisely picked to report the drafters' stance.

In order to prove this hypothesis true, a triangulation of quantitative and qualitative tools of analysis is adopted. The quantitative work starts with the manual extraction of all the instances of predicates controlling complement clauses from the corpus. The predicates are later classified according to both the type of nominal clause they precede and their semantic class (verbal, nominal, adjectival). Frequency distribution, one of the quantitative methods of analysis, is applied to calculate the total number of predicate types. The statistical results arrived at through frequency distribution are then put into testing via the Chi-square test which is applied to validate the findings and account for the different patterns of distribution observed in the corpus. In a final step, an effort is made to qualitatively interpret the results and support the quantitative work. From the researcher's own perspective, precise instances are taken from the corpus and investigated in relation to their context.

4. Results and Analysis

While treating the corpus quantitatively, focus is put on the frequency of each predicate type as well as the distribution of the different predicates according to the complement clauses they accompany.

4.1. Frequency of Controlling Predicates per Type

After extracting all instances of controlling predicates, they were classified under the three different categories of predicate types so that to check draftsmen's preferences in treaty Preambles. Frequency distribution yielded the results in Table 3 according to which the distribution of controlling predicates is uneven among the three different categories with verbal predication and adjectival predicates having the highest and lowest percentages respectively. Nominal predicates occupy a medium position with a moderate percentage as Figure 1 better clarifies.

Figure 1 shows that verbal and nominal predicates are by far the most favored types of predication at the expense of adjectival predicates whose frequency is so shy. This unevenness in the distribution of predicates may be explained by the fact that adjectival predicates always present an evaluation of the proposition following it. There is, therefore, a small margin of choice when it comes to expressing one's stance with adjectival predicates at the opposite of the nominal and verbal agnates which offer more chances for explicit and implicit evaluation. It is particularly noticeable that verbs working as introducers of nominal clauses represent more than half of the used predicates. A possible justification for such predominance is their liability to be accompanied by an overt subject, which makes for clarity and precision, things favored in such normative kinds of texts as treaties. Yet, verbal predicates, like adjectival ones, are also known for their direct evaluative potential compared to nominal heads, which contradicts with the prescriptive nature of treaties. Assuming that Preambles reflect signs of deviation from the core of the text, it can be the case that legal draftsmen's position towards the statements embedded in the nominal clauses is presented carefully as verbs offer a continuum of alternatives when it comes to expressing one's stance. Depending on both the clause they accompany and the semantic domain they belong to, verbs can hold different degrees of evaluation. A further step of analysis where the semantic potential of predicates is explored is, thus, carried out to confirm this reasoning.

4.2. Frequency of Controlling Predicates according to Nominal Clause Type

In the aim of checking the clausal type the controlling predicates favor to combine with in the analyzed Preambles, all of the predicates are classified under the appropriate complement clause they accompany. The combinations found and their frequencies are sorted out in Table 4.

Relying on Table 4, it can be remarked that not only is the frequency of predicates uneven according to their type but also when it comes to the nominal clause they introduce. To explain more, the distribution of predicates belonging to the same category is equally disproportionate depending on the class of the complement clause. Verbal that-clauses are the commonest combinations in the corpus followed by their infinitival agnates which also reveal a decent frequency. Nominal predicates followed by to-infinitives occupy the third position with an important share of occurrences. In order to be able to draw safe conclusions about the differences in the distribution of predicate types, the Chi-square test is adopted to validate the findings. Before doing that, it is important to point to something that draws the attention most in Table 4 which is the absence of complement wh-clauses from the corpus. The abstinence from deploying such clauses in the Preambles can be explained by the restricted nature of these complements which are already attested to be very unproductive in written discourse. The fact that they can come in the form of questions or exclamations might also be unsuitable for the firm and direct character of treaties. Wh-clauses are, thus, omitted from the variables while applying the Chi-square test as they indicate zero frequency. To prove the disparity reflected in Table 4, let the null hypothesis H_0 be: the distribution of predicates according to complement clause type is even for all heads. Applying the Chi-square formula $\chi^2 = \sum (O-E)^2 / E$ to the findings resulted in the statistics in Table 5.

To decide on the validity of the hypothesis, the freedom degree ($v = (n-1) \times (k-1)$) needs to be calculated first. With reference to Table 4, $v = (3-1) \times (3-1) = 4$. Checking the χ^2 distribution table (Triki & Sellami-Baklouti, 2002, p. 245), for 4 freedom degrees, the null hypothesis can be rejected if $\chi^2 > 18.47$ and in this case $\chi^2 = 138.69$, which is far beyond the significance level. Accordingly, the alternative hypothesis stipulating that there is a predominance of certain predicate combinations over others is confidently maintained.

For a better understanding of such unevenness and trying to come to grips with legal Preamble drafters' choices in relation to the heads they pick to transmit their attitudinal positions, the most frequently used patterns are analyzed with reference to the semantic domains of the predicates.

4.2.1. Verbal that-clauses

The verb head followed by a that-clause is the commonest pattern detected in the corpus. Considering that this pattern is more direct than combinations with noun heads and less varied in terms of semantic domains, it is curious to find out in what way it is useful for legal draftsmen to rely on it as their number one pick. For this sake, a semantic classification of that-clausal verbal predicates per domain is conducted.

It is obvious through Table 6 that the semantic distribution of the different verbal predicates is unequal. The vast majority of head verbs introducing that-clauses are picked from the semantic domain of cognition where the writers report their thoughts rather than actions. Indeed, 70 % of the verbal that-complements employed in the analyzed Preambles represent law drafters' attitudinal reflections on events and situations that are already part of the international scene. To explain more, a closer examination of the different instances of verbal predicates in their context reveals that, in their reporting of matters related to the treaty in question, legal draftsmen do not present personal judgments that stem from whimsical beliefs but rather propose firm convictions based on rational meditations upon the pressing problems of the international society. No wonder, then, that in spite of making use of eight distinct verbal predicates from the mental category, there is a striking overuse of the head 'recognize'. While this predicate, just like the verbs 'think' or 'believe', works to transmit one's thought or position towards a given proposition, it offers a nuance in meaning such that the presented evaluation or stance is impersonalized and rendered more universal than personal. Because in the Preamble the subject is openly declared from the start as being the Parties wishing to be involved in the treaty, it seems more adequate to render the reason behind concluding the agreement to awareness of the common good of the international community rather than to a personal belief in the gravity of the discussed matter. As part of the diplomatic discourse in addition to being a legal one, Preambles of treaties function primarily as justificatory devices whereby the drafters have the chance to turn the Parties' attention to the rationale behind taking part in the treaty and ultimately convince those hesitant to ratify it to join the noble cause. Investigating some instances where the predicate 'recognize' is used bear proof to such interpretation:

P1: ***Recognizing** that vulnerable populations have particular food and nutritional needs.*

P2: ***Recognizing** that near shore areas must be restored and protected because they are the major source of drinking water for communities within the basin.*

From the aforementioned examples, it can be deduced that instead of presenting the international concerns as something that the writers 'believe' is true, it seems as if the drafters are saying that these matters are factual information that is already there and all that 'we', as international agents, need to do is be aware of it and acknowledge or accept it for us to be able to find solutions. Reaching a compromise is very important in treaty conclusion so that no reservations or objections are held while signing it. Picking the right wording is, accordingly, as crucial. The fact that speech act verbs are left out appears to be far from being coincidental too. In actual fact, having a frequency of less than 10% of all verbal predicates preceding that-clauses while they belong to a rich semantic domain appears to be intentional. Eschewing speech act verbs probably goes hand in hand with the abundance of cognition verbs as their meanings generally involve some sort of action on the part of the speaker. Revisiting Table 6 makes it possible to spot the kinds of speech act verbs chosen in the corpus. Focus is put on the two verbs 'acknowledge' and 'emphasize' which seem to resonate more with cognition verbs. In fact, the examination of the way they are contextualized in the corpus attests to the idea that they are made use of to function similarly to verbs belonging to the mental domain as exemplified in these extracts:

P3: ***Acknowledging** that diverse forms of assistance and support are important to the economic revitalization of the Republic of the Union of Myanmar.*

P4: ***Emphasizing** that olive cultivation governs the existence and standard of living of millions of families.*

These two samples from the Preambles reflect how treaty drafters select from the variety of speech act verbs those destined to convey information in an assertive or emphatic manner for the sake of drawing the attention to the worthiness of the treaty in action in regulating current world concerns. Doing without verbs that act as commissives (promise) or directives (urge) – to borrow the pragmatic terminology – testifies to the authors' carefulness from committing themselves to actions that they will not be able to keep after signing the treaty.

Aware that the Preamble can serve as a tool for treaty interpretation in court, while developing the preambular text, legal professionals appear to be content with revealing their attitudinal stance towards a particular issue without taking the next step of acting on such attitudes. It remains to be checked whether verbal to-infinitives, which are also frequently present in the Preambles and whose evaluative potential is less direct, are employed to present the drafters' reactions in a covert fashion to the issues they present as taken for granted realities.

4.2.2. Verbal to-infinitives

Having a frequency no less important than that displayed by their than-clausal agnates, verbs preceding infinitival complement clauses are also classified according to their semantic domains to account for their common presence in the corpus. Table 7 outlines the frequencies obtained for each semantic class.

The frequency of verbal to-infinitives the way reported in Table 7 indicates a preference for certain semantic domains as is the case for verbal that-clauses. Unlike the latter, however, different semantic categories are selected while introducing an infinitival clause, namely desire and intention. In spite of changing the kinds of verbal heads picked to control infinitival complements in comparison to verbal that-clauses, the same persistent goal of not wanting to be misunderstood as making binding commitments or promising to take actions that might not happen in the future is detected while investigating the use of verbs of desire in the Preambles.

P5: *Desiring to combat such proliferation through enhanced international cooperation and more effective international enforcement*

P6: *wishing to encourage individual airlines to develop and implement innovative and competitive prices*

Having a look at the aforementioned excerpts from the corpus, it is remarkable that, in comparison to the meanings encoded in verbal that-clauses, to-infinitives preceded by verbs signal a change at the level of the semantic value entrusted in them. To explain more, Preamble drafters seem to move from a mere enumeration of the urging international dilemmas and how concerned and moved they are by them to a listing of the solutions they can adopt to help solve these issues. Taking a step forward from just being aware of what is happening to concretely acting on it showcases the good intentions of the Parties to the treaty and their perseverance to reach decisions that are likely to better the international life. The selection of the predicates 'desire', 'wish', 'intend' and the like to do so, however, reflects the authors' reservations and worries from committing to things that they might not be able to keep later. Stronger speech act verbs such as 'commit', 'decide', 'promise' and 'request' where the authors' determination to act can be highlighted more properly could have been used. The findings, however, indicate a scarce use of such verbs as well as a dearth in causation and effort verbs which could have also been employed to urge other actors in international law to be part of the treaty. It appears that, because it is partly diplomatic, the Preamble is made use of as a persuasive tool as long as it does not surpass the limits of respecting each others' independency and equality in terms of power. In other words, convincing the Parties of the importance of ratifying a particular treaty is an objective that can be done cunningly without appearing to be imposing or dictating. Opting for the predicate 'encourage' instead of 'urge' or 'call upon', for instance, might be understood as a persuasive strategy via which legal draftsmen try to downplay their requests by reporting them in a friendly manner.

4.2.3. Nominal to-clauses

After extracting all noun heads introducing infinitival complements, they are counted and sorted out in Table 8. The most frequently used head nouns as shown in Table 8 match well the previously discussed communicative goals of the authors and fit the nature of treaty Preambles well. Indeed, it seems that the drafters of the agreements spare no effort and occasion to point to the interestingness of the current convention and its forthcoming impact on the international scene. The frequent presence of the nominal predicates 'need', 'desire' and 'effort' resonates with the common recourse to verbs of desire before to-infinitives, except that in this case, the nominalized versions are meant to highlight the universally-oriented nature of the Parties' decisions and motives. Precisely, the recurrently used noun 'need' points to a common human drive that stems from the pressures and realities of the international scene that dictate urgent intervention. At the opposite of their verbal counterparts, the nominal heads allow for the intentional removal of the actor, thus increasing chances of involvement as every party reading the Preamble would probably feel concerned by these 'needs' which are presented as far from being the personal drives of a specific Party. Consider these illustrations from the corpus:

P7: *Acknowledging ... the need to address the risks to human health posed by environmental degradation*

P8: *Recognizing the need to promote and protect the human rights of all persons with disabilities*

Deploying nominal predicates may also be an opportunity for the authors to stress their commitment to particular issues in an indirect way as they are not typical stance markers and they are not assigned to a particular subject. Indeed, it has been noted – going through all the instances where the noun ‘commitment’ is used – that law drafters do not commit to actions that are part of the treaty to be concluded but rather to past engagements that were made in previous treaties or other kinds of agreements. Putting a verbal predicate such as ‘reiterate’ or ‘recall’ as shown in (P9) and (P10) supports this interpretation. It follows that, even when using nominals as controlling predicates of complement clauses, the writers of Preambles still refrain from making open commitments that might be taken against them in court or might make the involved Parties think twice before signing the convention.

P9: *Reiterating their **commitment** to conserve and sustainably use these biological resources, in accordance with national priorities, and regional and international imperatives*

P10: *Recalling the **commitment** made by consumer members in January 1994 to maintain or achieve the sustainable management of their forests*

It should be noted that nominal predicates preceding ing-clauses display similar uses to those controlled by infinitival clauses. Actually, though not as strikingly present as the previously-analyzed patterns, they represent the fourth most common combination in the corpus. Aside from reminding the readers of their prior commitments, nominal predication with ing-clauses seems to be effective in stressing, as usual, the necessity of coming together as one hand to ameliorate the situation of those involved in international law. Highlighting such urgency is signaled with the abundant employment of the noun head ‘importance’ as clarified in these extracts from the corpus:

P11: *Emphasizing the **importance** of building capacity to protect the environment*

P12: *Recognizing the **importance** of advancing common scientific and technical knowledge for the future prosperity and well-being of humanity*

5. Conclusion

This paper has tried to cast light on the syntactic and semantic functioning of the controlling predicates of complement clauses in Preambles, a section of the legal genre of treaties. The results have shown that these constructions are made use of primarily to persuade, which overthrows the normative nature of the studied texts and confirms the uniqueness of the preamble as a special linguistic and rhetorical unit that has more than a mere ceremonial role.

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Appendix

Table 1: That-clause verbal predicates (adapted from Biber et al., 1999)

Semantic domain	Verbal predicate
<i>Mental/cognition</i>	believe, feel, find, think, know, assume, conclude, decide, expect, hope, imagine, realize, recognize, remember, suppose, wish, notice, accept, consider, intend, resolve, maintain, mind
<i>Speech act</i>	say, admit, agree, announce, insist, acknowledge, assert, claim, declare, emphasize, demand, promise, inform, persuade, mention, propose, protest, promise, stress, urge, warn, testify
<i>Other communication</i>	show, ensure, indicate, convince, confirm, convey, note

Table 2: Verbal predicates of infinitival complements

Semantic domain	Verbal predicate
<i>speech act</i>	ask, beg, claim, decline, offer, promise, request, say, command, advice, invite
<i>other communication</i>	prove, show, convince, teach
<i>cognition</i>	expect, learn, assume, believe, consider, imagine, know, suppose, find, estimate, presume
<i>perception</i>	hear, tell, see, watch, feel
<i>desire</i>	like, need, wish, want, hope, desire, love, prefer, regret
<i>intention/decision</i>	decide, agree, intend, mean, prepare, aim, choose, resolve
<i>effort</i>	attempt, try, fail, seek, strive, struggle
<i>modality/causation</i>	allow, require, help, authorize, encourage,
<i>aspectual</i>	begin, start, continue
<i>existence/occurrence</i>	Seem, tend, appear, happen

Table 3: the frequency of predicate types in the Preambles

	Verbal	Nominal	Adjectival
Controlling predicates	332	197	97

Table 4: Frequency of predicates per complement clause type

	Verbal predicates	Nominal predicates	Adjectival predicates
That-clauses	171	10	36
Wh-clauses	0	0	0
To-infinitives	158	143	38
Ing-clauses	10	44	16

Table 5: The Chi-square test

		Observed Frequency	Expected Frequency	Deviation	χ^2
That-clauses	Verbal predicates	171	115	+56	27.26
	Nominal predicates	10	68	-58	49.47
	Adjectival predicates	36	33	+3	0.27
To-clauses	Verbal predicates	151	180	-29	4.67
	Nominal predicates	143	107	+36	12.11
	Adjectival predicates	45	52	-7	0.94
Ing-clauses	Verbal predicates	10	37	-27	19.70
	Nominal predicates	44	22	+22	22
	Adjectival predicates	16	11	+5	2.27
χ^2					138.69

Table 6: Semantic classification of verbal predicates preceding that-clauses

Semantic domain	Verbal predicates	Occurrences	Total
<i>Mental/cognition</i>	1. Recognize	68	123
	2. Consider	23	
	3. Bear in mind	9	
	4. Recall	7	
	5. Realize	7	
	6. Believe	6	
	7. Conclude	1	
	8. Desire	2	
<i>Speech act</i>	1. Acknowledge	7	15
	2. Emphasize	5	
	3. Announce	1	
	4. Agree	2	
<i>Other communication</i>	1. Note	16	31
	2. Ensure	11	
	3. Persuade	1	
	4. reaffirm	1	
	5. require	1	
	6. affirm	1	

Table 7: Semantic classification of verbal predicates controlling to-clauses

Semantic domain	Verbal predicate	Occurrences	Total
<i>speech act</i>	Commit	1	3
	Request	1	
	Call upon	1	
<i>desire</i>	Desire	67	78
	Wish	11	
<i>intention/decision</i>	Intend	8	30
	Undertake	7	
	Resolve	9	
	Aim	4	
	Decide	1	
	Agree	1	
<i>effort</i>	Seek	9	14
	Strive	1	
	Fail	1	
	Contribute	1	
	Manage	2	
<i>modality/causation</i>	Encourage	6	14
	Permit	2	
	Help	2	
	Enable	3	
	Authorize	1	
<i>aspectual</i>	Continue	8	8

Table 8: Distribution of nominal predicates of to-clauses

Nominal predicates	Occurrences
need	48
commitment	20
desire	13
effort	11
right	9
will	6
determination	5
responsibility	5
duty	5
obligation	4
freedom	4
decision	2
invitation	2
ability	1
intention	1
time	1
offer	1
possibility	1
purpose	1
opportunity	1

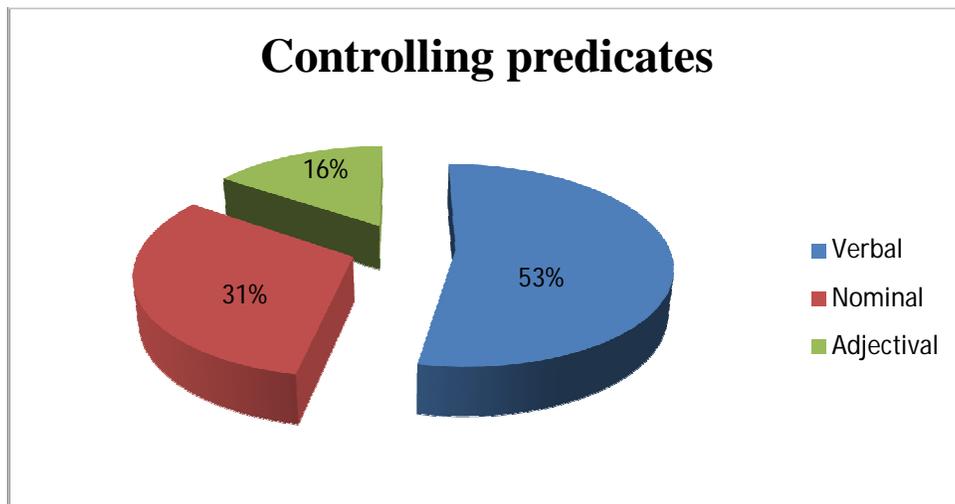


Figure 1: The distribution of controlling predicates per type