

FROM GOVERNANCE TO CONTROL: A FORENSIC STYLISTIC CRITIQUE OF LEGAL LANGUAGE IN THE PEEDA ACT (2006)

Eesha Sajid,

PhD Scholar, GC Women University, Sialkot.

Dr. Aisha Farid,

Assistant Professor, Department of English, GC Women University, Sialkot.

aisha.farid@gcwus.edu.pk, ORCID# <https://orcid.org/0000-0001-5273-7045>

Warda Nasar,

Assistant Professor, Department of English, Govt. Graduate College for Women Hajipura,
Sialkot

Naveeda Akhtar,

Assistant Professor, Department of English, Govt. Associate College for Women Kapoorwali,
Sialkot

Abstract:

This research scrutinizes the Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act, 2006) with a critical eye, focusing specifically on its linguistic and structural aspects that influence the interpretation and application of the Act. It utilizes the methods of forensic stylistic analysis and the theoretical framework provided by Coulthard and Johnson for robust validation of the prior analysis. This study examines the workings and impact of the Act, particularly from the perspective of public sector employees. This research focuses on uncovering the power structures the Act supports, the obscured accountabilities it conceals, and how it upholds (or fails to uphold) the balance of procedural fairness that public sector employees are supposed to enjoy. The Act has some significant inconsistencies in the way it uses models, which result in ambiguity that leads to some of the interpretative discrepancies and 'selective enforcement'

Keywords

Forensic linguistics, PEEA Act, power dynamics, legal language, institutional control, procedural fairness, passive voice, modal verbs, gendered language, accountability.

1. Introduction

The 2006 Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act) was a landmark piece of legislation that aimed to regulate the efficiency, discipline, and accountability of the public sector in the province of Punjab, Pakistan.

Although its overall aim appears to be one of procedural reform, a closer examination of the linguistic structure of the PEEA Act reveals a complex interplay of power dynamics, legal certainty, and institutional accountability. The PEEA Act, although intended to regulate the behavior of certain public employees, embeds in its language a delicate picture of some kind of instructional control, hierarchy, and the almost inevitable potential for bureaucratic overreach that such laws invariably provide. Legal language, as explored by scholars like Tiersma (1999), is far from neutral. It is a tool through which power is exercised, and meaning is both shaped and constrained.

This study employs forensic stylistics—a subfield of forensic linguistics that examines the intersection of language and law—to analyze the textual construction of the PEEA Act. By analyzing the linguistic choices within the Act—specifically in terms of voice, modality, cohesion, and lexical patterns—this critique aims to uncover the covert mechanisms through which the PEEA Act may influence the interpretation of legal power and authority. We intend to explore how legal language can either reinforce or obscure the exercise of bureaucratic power and institutional control.

This study delves deeper than a mere textual analysis of PEEDA to explore the dynamics of power encoded in legal language and to examine the effect this language has on shaping the future. The legal language of the PEEDA Act might seem neutral and objective on the surface. Forensic stylistic analysis brings this language under the kind of scrutiny one might apply to a piece of art to ask what makes it tick and to question what makes the legal language of the Act work in the context of the seemingly simple major provisions set out on pages 6 through 9.

1.2 Historical Context of the PEEDA Act

The 2006 PEEDA Act was a response to Pakistan's burgeoning public sector inefficiencies and corruption. By the time of its enactment, the Punjab provincial government was in dire need of a clean and efficient civil service that could operate without administrative delays, corruption, or mismanagement. Enacted in 2006, the PEEDA Act is an overreaction and an attempt to overhaul governance systems in Pakistan by making public services more transparent and accountable.

Beneath the appearance of procedural fairness, however, the PEEDA Act's legal language frequently reveals a centralization of authority and an overreliance on the discretion of administrative authorities. The Act bestows considerable power on the upper echelons of governmental agencies, enabling them to steer the disciplinary ship in various directions during numerous disciplinary proceedings.

1.3 Forensic Stylistic Analysis: Language and Power

Legal texts are never neutral in their use of language. They do not just put laws into writing but also reinforce certain power arrangements in society (Tiersma, 1999). This study employs the framework of forensic stylistics (Coulthard & Johnson, 2007), which examines the styles of language used and their impact on meaning and force in a legal context. Stylistic differences in regulatory texts can illuminate buried power structures (Gibbons, 2003). This analysis compares the use of voice, modality, and cohesive devices in PEEDA with their use in a compelling statutory alternative. The primary objective of this study is to apply forensic stylistics to the PEEDA Act, examining how linguistic choices influence the interpretation and enforcement of the Act.

At its core, the PEEDA Act is a document that regulates power—the state's power over a certain class of public employees and the power of administrative authorities over those same employees. The Act's language, therefore, functions as a vehicle for the exercise of that power. The Act refers to specific terms to define and describe certain behaviors that could be considered "misconduct." It discusses the type of punishment that should be imposed and the kind of responsibilities that the authorities should assume in charge of administering the law in question. When these terms were decided upon, considerable thought and discussion had to have gone into the decision-making process, as the law's words reflect key aspects of the model's intent.

In brief, the forensic stylistic analysis of the PEEDA Act enables us to observe how the Act's language establishes and reinforces power relationships within the bureaucracy. Linguistic elements are deconstructed to show how the PEEDA Act constructs these relationships. This study then comments on the significance of these constructions in the context of governance and accountability within the public sector in Punjab.

1.4 Research Problem

Although it has a formal procedural structure, the PEEDA Act raises some linguistic concerns that could obscure responsibility, enable interpretive bias, and privilege institutional authority over employee rights. Terms like inefficiency and misconduct are undefined within the Act. Key clauses use the passive voice. Pronouns used in the Act exhibit gender exclusivity. All of these factors combine to make the PEEDA Act legally unclear and procedurally unfair, and it remains underexplored in both legal and linguistic scholarship.

1.5 Research Objectives

This study aims to:

1. Use Forensic stylistic methods to analyze the linguistic structure of the PEEDA Act.
2. Identify how the author's stylistic choices (e.g., passive voice, modal verbs, unclear terminology) reflect or reinforce power imbalances.
3. Assess the consequences of these characteristics with a theoretical framework established in Coulthard and Johnson's forensic linguistics.

1.6 Research Questions

1. How does the PEEDA Act formally construct institutional authority and control using language?
2. In what ways does style contribute to ambiguity, exclusion, or lack of accountability in the text?
3. In what ways do these characteristics demonstrate the larger power dynamics that forensic linguistics theorizes?

1.7 Significance of the Study

This research contributes to both the discourse analysis of law and the critique of policy by revealing how bureaucratic control can be embedded within legal language and presented as procedural fairness. Using forensic stylistic tools, the authors examine a regional disciplinary statute and its function at the level of language, which produces specific institutional behaviors and forms of accountability. They offer recommendations for linguistic reform in legal drafting, aiming for transparency, inclusivity, and fairness in the administrative law sector.

2. Literature Review:

2.1 PEEDA Act: Linguistic and Practical Implications

In recent years, several academic studies have closely examined the Punjab Employees Efficiency, Discipline, and Accountability (PEEDA) Act of 2006. This study analyzes the Act's linguistic structure and the implications this has for public sector employees. The Act is intended to invoke a service-wide culture of efficiency and accountability among public sector workers. However, it is precisely these two characteristics—efficiency and accountability—that have academics concerned. Critics have pointed an accusing finger at the Act for potentially having vague, one-sided, or ambiguous language. Such language, it is feared, could be used to undermine procedural fairness and the rights of public sector employees.

Hameed et al. (2022) examine rules and conditions under which regular inquiries can be dispensed under the PEEDA Act. They raised significant concerns about trial rights and transparency of procedures, which, in Hameed's view, are rather fundamental to both due process and our system of governance. They argue convincingly that the PEEDA Act is vague in important ways and that vagueness can be the basis for arbitrariness, which is not something that should occur in a government that lives up to its promises. Much of their analysis centers around the fact that the PEEDA Act lacks clear definitions of several important terms, including 'disciplinary authority,' and that vague sentence constructions further obscure the important terms.

Javaid (2019) focused specifically on the impact of the PEEDA Act on public sector teachers and the Act's relationship to employee performance and morale. Within this context, he evaluated the Act's resultant effects. A modest positive result was found for teacher performance induced by the Act. However, teacher morale—as in the overall rural and urban public school sector—declined after the act was implemented. In part, the fall came from Act-induced fear; in teachers' case, the fear of disciplinary action that the Act's provisions made possible and even likely. There was a significant drawback of the law: improved efficiency in achieving the Act's educational targets, certainly. The Act had some impact on improving teacher performance, but it also took a significant toll on teachers' morale.

Hussain et al. (2023) took a necessary step in examining the PEEDA Act, not so much as a tool of accountability but as one that threatens employees with discipline if their performance is deemed subpar. In doing so, the following was revealed:

Along with these studies, another type of analysis has closely examined the PEEDA Act's language and its implications for governance and legal interpretation. Akhtar (2020) applied forensic linguistics to the Act's linguistic structure. He was not interested in cracking the kind of codes that secret agents use but rather in understanding how certain kinds of supposedly more useful (or more favorable) language might serve the interests of those in power. Akhtar's critique, which was partly inspired by what linguist George Lakoff (2009) has called the "framing" of a situation or event, makes the following points:

- Linguistic features such as frequent use of the passive voice and ambiguous phrasing may shift the balance of power in favour of administrative authorities, who can interpret the Act as they see fit.

- Inadequate accountability might, as a result, be built into the Act's operation.

Shah and Qureshi (2021) investigated the relationship between legal language and employee empowerment in the PEEDA Act. They examined the impact of narrow definitions on the power balance of the Act. Close calling of terms can make a person seem like a clear violator of the law when, in fact, the person has a valid point on their side. Courts interpret terms and their close synonyms in very different ways, sometimes to the detriment of the clear intent of the law. Shah and Qureshi also find other effects, which is why they discuss the balance between empowerment and protection.

In addition, Aziz and Iqbal (2018) investigated the social and organizational influences of the PEEDA Act on public sector organizations, particularly its impact on employee performance and organizational culture.

Rashid and Malik (2021) found, in further studies, that the PEEDA Act, while intending to ensure accountability, had created a power imbalance between administrative authorities and employees. This imbalance was especially prevalent in public sector departments and arose from the Act's one-sided language. In their study, Rashid and Malik found that the provisions of the PEEDA Act had the effect of empowering higher authorities to take disciplinary actions against employees but without providing employees with a clear avenue of recourse. They also pointed out that the Act's identification of "misconduct" was ambiguous, and what the Act needed most of all was clarification in its language, especially regarding the appearance of fairness.

Khan (2020) examined the impact of the PEEDA Act on the behavior of public sector employees. The Act emphasized efficiency, discipline, and accountability in a language intended to create an intent-friendly environment that encourages compliance. However, according to Khan, the intent of the PEEDA Act was lost on the ground. The Act's language, Khan suggested, created an environment that discouraged risk-taking and new ideas in public sector organizations. The efficiency goals that the Act set out to achieve were, in effect, undermined. Khan's study hinted at a language dilemma: how the wording of a law can unintentionally encourage conformity at the expense of two key ingredients necessary for achieving any law's goal.

Maqsood (2017) focused on the language of the PEEDA Act and its potential impact on employees' perceptions of justice. Much of the work done on this topic emphasizes the impact of an apparent injustice on employees. Maqsood's work, on the other hand, attempts to understand the linguistic structure of law and how that might contribute to a perception of injustice. To gain a better understanding of why a group of people perceive a law as unjust, we must first try to understand what it is about that law that leads them to that conclusion. Maqsood has opened up this line of research.

In 2015, Raza and Mehmood thoroughly studied the PEEDA Act. They examined its implementation and its impact on the health sector, particularly on hospital staff. They found that the Act had a positive effect on improving accountability among the staff. However, the researchers noted that the PEEDA Act was sometimes used to justify disciplinary actions without sufficient oversight. They suggested that while the intentions behind the Act were noble, businesses and institutions using insufficiently clear legal language were damaging trust in their processes.

The academic discourse surrounding the PEEDA Act thus highlights a crucial intersection between legal language, power dynamics, and employee welfare. Much scholarly work emphasizes that the legislation aims to streamline governance and enforce discipline but too often neglects the broader psychological and social dimensions of the employee experience. This body of research presents a compelling case for an unfortunate reality: that even well-intentioned governance documents can have profoundly negative effects on the populations they are intended to serve.

2.2 Research Gap

The established scholarship on the PEEDA Act (2006) has shed light on its procedural inadequacies and the psychological effect it has on public sector employees. These studies have rightly raised concerns about fair trial rights, employee morale, and the psychological well-being of public sector workers. Nevertheless, they have stopped short of taking the next logical step and interrogated the Act's linguistic architecture. By 'linguistic architecture,' the researchers mean its choice of voice, modality, cohesion, and lexical definition—the very elements from which the Act and the human experiences it generates are made. Of course, the field of forensic stylistics has its own established methods for doing this very thing. Forensic stylistics, at its most basic, is the dissection of legal language to understand how it functions and why it works (or fails to work). Given the existing tensions surrounding the Act's language, it is believed that a detailed study of the Act could be beneficial to both proponents and opponents.

Specifically, no research has:

1. **Applied Coulthard & Johnson's forensic stylistic framework** to a Pakistani disciplinary statute, leaving the Act's **power dynamics embedded in linguistic form** unexplored.
2. Investigated **textual cohesion, modal inconsistencies, and passive constructions** in PEEDA, which likely obscure agency and blur procedural clarity.
3. Employed a **mixed qualitative-quantitative approach** to correlate the frequency of stylistic features (e.g., passive clauses, undefined terms) with their theoretical implications for **institutional control**.

By addressing these gaps, the present study—"From Governance to Control: A Forensic Stylistic Critique of Legal Language in the PEEDA Act (2006)"—offers the first in-depth analysis of how the Act's language itself functions as a mechanism of bureaucratic control, thereby complementing existing scholarship on its practical and psychological effects.

3. Research Methodology

This section describes the research methodology used to analyze the Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act, 2006) through forensic stylistics. The analysis can be characterized in two ways, which also correspond with the two main analytic lenses that I happened to use on the PEEDA Act: the first is general forensic stylistics, which is what most people probably think of when they hear "forensic linguistics"; the second is Coulthard & Johnson's (2007) Forensic Linguistic Framework, which is also a kind of forensic stylistics, but an arguably more structured and reliable one. Forensic stylistics may be

the most effective tool for determining whether a complex linguistic structure (i.e., legally ambiguous language) has been employed to create a powerful disciplinary framework within the public sector. General forensic stylistic analysis involves

- **Lexical Choices**
- **Syntax and Voice**
- **Modality**
- **Cohesion and Coherence**

3.2.2 Coulthard & Johnson's Forensic Linguistic Framework

The study also utilises the Forensic Linguistic Framework developed by Coulthard and Johnson (2007), which specifically examines how legal texts employ language to exert power and control.

Nature of the Study

This research study takes a qualitative approach and employs critical discourse analysis (CDA) within the domain of forensic linguistics to interpret and critique the linguistic structures of the PEEDA Act. Unlike many forensic linguistics studies, CDA does not test hypotheses and does not involve any numerical data. The analysis focuses on answering the broad research question: How does the PEEDA Act affect procedural fairness, institutional power, and accountability in Pakistan?

Data Source

The main dataset for this research is the official text of the Punjab Employees Efficiency, Discipline, and Accountability Act (2006). This dataset is publicly available and can be found in various government publications and legal repositories. This study will focus on utilizing the most widely applied and cited version of the Act. Close Reading has been done on the entire text for identification of the above stated markers.

3.6. Data Analysis

The analysis will proceed in two stages:

1. **General Forensic Stylistics Analysis:**
2. **Coulthard & Johnson's Framework Analysis**

In addition to the qualitative analysis, quantitative reinforcement will be employed through a statistical analysis of the frequency of passive constructions and modal verbs to validate the qualitative findings.

3.7. Delimitations of the Study

The study has the following delimitations:

- **Scope:** It concentrates on the PEEDA Act (2006) without engaging in a comparative study of other legal frameworks or versions of the Act.
- **Language:** It exclusively performs a linguistic analysis of the Act. It does not examine the Act's implementation or judicial interpretation.
- **Perspective:** The research does not include the perspectives of employees, legal practitioners, or consultants. It focuses only on the language of the Act.

4.1. Forensic Stylistic Analysis of the PEEDA Act (2006)

4.1.1. Formal Register and Authoritative Tone

The *Punjab Employees Efficiency, Discipline, and Accountability Act* (PEEDA Act) consistently employs a formal and legalistic tone, characteristic of legislative texts, which serves to convey institutional authority. The language aligns with the stylistic expectations of legal enforceability, reinforcing the document's role as an authoritative legal instrument.

For example, the preamble of the Act states:

- *"An Act to provide for proceedings against the employees in government and corporation service in relation to their efficiency, discipline, and accountability."*

- This introductory statement sets the tone for the document, emphasizing the scope of the Act as a legislative measure with wide-reaching implications. Additionally, Section 1 states:
- *"This Act may be called the Punjab Employees Efficiency, Discipline and Accountability Act, 2006."*
- Such phrases contribute to establishing the Act's official identity and function within legal frameworks.

While the formal tone is appropriate for a legal document, it can also be overly abstract, rendering it less accessible to non-expert readers. The absence of explanatory language or reader-oriented devices further compounds this issue. As a result, the legal text may pose challenges to comprehension, particularly for individuals without a legal background, limiting its accessibility and the clarity of its provisions for the general public.

4.1.2. Lexical and Modal Usage

Ambiguity abounds in the language of the PEEA Act, which is replete with abstract, undefined terms. Two of the Act's provisions, in Section 3, outline the grounds on which public sector employees can be disciplined under the Act. As such, they are crucial to understanding the Act's reach and authority. However, even here, the Act's authors have chosen to use vague terms and refrain from offering any actual definitions.

Notice the Act's authors' complete and utter failure to define what they mean by "inefficiency," "misconduct," and "corruption" in Section 2, which is supposed to set out the Act's key terms. It is this sort of wanton vagueness and imprecision that leaves the Act open to all kinds of manipulative interpretations and applications.

Moreover, the use of **modal verbs** throughout the Act compounds these issues. Modal verbs such as "shall" (indicating obligation) and "may" (indicating discretion) create significant interpretive challenges, as they signal differing levels of authority and obligation. For example:

- **Section 5(1):** *"The Authority may appoint an Inquiry Officer or an Inquiry Committee..."* (discretionary power).
- **Section 9(2):** *"The accused shall be provided an opportunity of personal hearing..."* (mandatory obligation).

The juxtaposition of mandatory and discretionary terms leads to inconsistencies in interpretation and application, hence allowing room for administrative manipulation or bias. The fluidity between strong and weak modalities leads to an undermining of the certainty of responsibilities and procedural clarity.

4.1.3. Structural Cohesion and Clarity

The PEEA Act has a hierarchical legal structure with sections, subsections, and provisos. On the other hand, the lack of cohesive flow makes it hard to read. The clauses are so dense and so nested that it is impossible to see the precise meaning without working through them with great patience.

For instance, the repetition of procedural details across multiple sections (e.g., Sections 5-9) results in redundancy without clear progression from one stage to the next.

Section 11 which states:

- *"Major penalties include dismissal from service, removal from service..."*

While the penalties are outlined, the Act does not distinguish between "major" and "minor" penalties, nor does it provide any criteria to guide such classifications.

4.1.4. Passive vs Active Voice

A prominent feature of the PEEA Act is its heavy reliance on passive constructions. This feature makes it hard to know who is responsible for what in the Act's key clauses.

For example:

- **Section 5(3):** "*An inquiry shall be completed within sixty days.*" (By whom is this inquiry to be completed?)
- **Section 14:** "*No suit, prosecution or other legal proceedings shall lie against any person...*"

While passive constructions can be used to maintain neutrality, in this context, they effectively mask accountability. The omission of clear references to the responsible parties allows for potential gaps in responsibility and accountability, making it difficult for affected parties to seek redress or hold the relevant authorities accountable. This phenomenon is a common issue in bureaucratic drafting, where the use of passive voice can obscure the exercise of power and responsibility.

4.1.5. Ambiguity in Key Terms

As noted before, many key operative words in the PEEDA Act remain undefined, making its interpretation and application uncertain. Keywords such as "inefficiency," "misconduct," "corruption," and "discipline" are not well-defined in the Act, leading to a kind of open-textured language that invites subjective interpretations.

Not having a clear definition can lead to differing interpretations. This can lead to inconsistent application of the act across different departments or parts of the administration. Moreover, it can open the door to potential discrimination or targeting of particular employees.

- **Section 2** Does not provide clear definitions of critical terms such as "inefficiency," "corruption," "misconduct," "discipline," or "responsibility."

When viewed from a stylistic angle, the loose-textured quality of these terms weakens the Act's legal strength. The term's vagueness makes it hard to pin down the exact reasons that could justify disciplining a worker under this law. This uncertainty could lead to a situation where the disciplinary process is not as fair or as transparent as it should be.

4.1.6. Inclusivity and Modern Language Use

The PEEDA Act uses language that is exclusive to one gender, in this case, males, and it does so systematically throughout the text. Even as the world turns to more gender-neutral language, even in legal drafting, the Act clings to someone else's linguistic 1950s as it drafts language that is no longer even standard.

For example:

- **Section 5(4):** "*If the accused fails to submit his reply...*"
- **Section 13(2):** "*...without any prejudice to his right of appeal.*"

Relying solely on masculine pronouns not only contravenes the standards of today's gender-inclusive world but also reinforces an undeserved secondary status for women and non-binary people. This in-crowd way of speaking only feeds into a long-standing societal bias favouring men and gives the Act no more than a lip-service nod toward gender equality.

Failing to write in a gender-inclusive way calls into question the relevance of the Act in a society that increasingly values fairness and equality.

4.2. Detailed Analysis of Loopholes in the PEEDA Act (2006)

4.2.1. Suppressed Agency through Passive Voice

The PEEDA Act has a serious problem: it employs the passive voice excessively. When you write in the passive voice, you make it unclear who is doing the action (e.g., "The test was administered by the teacher" vs. "The teacher administered the test"). The excessive use of the passive voice in the PEEDA Act creates significant accountability gaps, allowing specific individuals or bodies to evade responsibility for actions that align with the Act.

Example:

- **Section 5(3):** "*An inquiry shall be completed within sixty days.*"
- This sentence fails to identify who is responsible for completing the inquiry. By not naming the responsible agent, this passive construction creates two major issues:

- **No liability** is assigned if the deadline for completing the inquiry is missed.
- **No procedural recourse** is available for delays or misconduct, as the agent is not explicitly identified.

In forensic stylistics, it is not uncommon for the passive voice to be used (whether intentionally or unintentionally) to suppress agency and evade institutional accountability. This is particularly the case in bureaucratic contexts where naming the responsible party is essential for achieving real accountability. If anyone can take action without corresponding to someone and is sure to take action if things go wrong, then we cannot effectively discipline lawyers or judges who do not comply with legal mandates.

4.2.2. Inconsistent Use of Modal Verbs ("Shall" vs "May")

The PEEADA Act inconsistently employs modal verbs, such as "shall" and "may," which can create confusion regarding the nature of certain provisions, specifically whether they are mandatory or discretionary. This inconsistency casts a fog over the clear delineation of responsibilities, making it more complicated to interpret exactly what the Act requires.

Examples:

- **Section 5(1):** "*The Authority may appoint an Inquiry Officer...*" (discretionary power).
- **Section 9(2):** "*The accused shall be provided an opportunity of personal hearing...*" (mandatory obligation).

The placement side by side of "shall" (which indicates a binding legal obligation) and "may" (which indicates discretion) creates ambiguity in the mind of the reader about what is really required and what is merely permitted. This not-so-stylish Stylistic problem creates a "modality coherence" problem, which translates into "legal and administrative manipulation opportunities" from the perspective of anyone who has to enforce the law. In other words, someone can be selective about which laws and administrative procedures they want to enforce because it is unclear what they are supposed to enforce in the first place.

4.2.3. Undefined Key Terms (Open-Textured Language)

The key issue with the PEEADA Act is its failure to define key disciplinary terms. The Act leaves interpretation of these terms to the discretion of the administrative authority. This discretion allows for the variable application of the Act, introducing significant ambiguity and inconsistency in the Act's provisions.

Examples:

- **Section 3:** "*An employee may be proceeded against... on the grounds of inefficiency, misconduct, and corruption.*"

However, Section 2 (Definitions) does not specify key terms such as "inefficiency," "misconduct," and "corruption." In the language of legal linguistics, open-textured terms lack clear, objective definitions, thereby allowing for subjective interpretation. This creates several practical risks, including:

- Unfair targeting of individuals with flat interpretations of their actions that cannot easily be scrutinized.
- Penalties that are unclear because we lack clear, standardized definitions.
- Authority figures can interpret this in any old way (rigid or flexible, as they see fit) and thus can use it as a license to do any number of unjust or barely just things.

4.2.4. Ambiguous Penalty Triggers

Although the PEEADA Act categorically delineates the types of penalties to be meted out (major and minor), it does not specify the yardsticks used for determining which penalty to assign. With no clear guidance on what constitutes a major versus a minor offence, the Act allows for some arbitrary assignments of penalty.

Example:

- **Section 11** (Major Penalties): “*Dismissal from service, removal from service, compulsory retirement...*”
- **Section 12** (Minor Penalties): “*Censure, withholding of promotion...*”

Nowhere does the Act say what differentiates a major penalty from a minor penalty. There are no criteria, such as **intent, recurrence, or severity** of the offence that seem to influence which behavior receives what punishment.

The effect is of very detailed penalty provisions that lack vague application criteria, which makes for an imbalanced statute. A situation is created where actions that appear to justify a severe punishment can, with considerable rhetorical license, be said to justify that severe punishment. This is a framework for imposing severe actions without much precedent or consistency.

4.2.5. Structural Redundancy and Weak Cohesion

The PEEDA Act has structural redundancy and weak cohesion in its procedural sections, especially in Sections 5–9. These sections are repetitive and frequently poorly sequenced, which gives them the potential to disrupt the flow of procedural clarity and allow the bypass or manipulation of certain steps.

Example:

- **Section 5:** Appointment of Inquiry Officer
- **Section 6:** Show-cause notice
- **Section 7:** Explanation from the accused
- **Section 8:** Inquiry if necessary
- **Section 9:** Decision

These sections frequently repeat or overlap without clear **transitional connectors**. For instance, there are no statements such as:

- “*After receiving the explanation in Section 7...*”
- “*Only if the show-cause notice under Section 6 fails...*”

From a stylistic angle, weak cohesion disrupts narrative logic in the Act, making it hard for the reader to follow the procedural flow. This lack of cohesion allows for steps to be skipped or rushed, which can hardly be said to aid in preserving the fairness of the disciplinary process. Redundancy also leads to inefficiency in implementation—the repeated steps serve no purpose if the reader is following the plain, hard-to-see path of the disciplinary procedure.

4.2.6. Exclusionary and Gendered Language

The PEEDA Act has a gender bias; it consistently uses masculine terms and pronouns, thereby excluding female and non-binary employees by implication. Its linguistic choices suggest an old-fashioned, even patriarchal, view of the workplace that does not mirror the current reality of a workforce made up of diverse genders. This ancient practice violates today's more inclusive legal standards.

Examples:

- **Section 5(4):** “*If the accused fails to submit his reply...*”
- **Section 13(2):** “*...without any prejudice to his right of appeal...*”

The use of exclusively masculine pronouns **marginalizes non-male employees**, hence reinforcing gender bias. Although this language does not invalidate the Act legally, it diminishes its modern relevance and **excludes diverse employee groups**. This failure to adopt **gender-neutral language** reflects a lack of upkeep with progressive legislative drafting practices and excludes a growing demographic of non-male workers.

4.2.7. Immunity Clause Language (Obscured Control)

Section 14 of the PEEDA Act provides broad **immunity** to authorities by stating:

- “*No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done under this Act.*”

The use of the term “**good faith**” is vague and lacks a clear definition. Also, the clause employs **passive voice**, further distancing accountability from an individual authority figure.

The overbroad immunity and the vague “good faith” qualifier undermine employee rights by blocking redress for misconduct. Stylistically and legally, this lack of clarity enables institutional control over legal proceedings, making it difficult for employees to challenge abuse or mistakes that occur under the guise of “good faith.”

Distribution of Key Metrics in PEEDA Act (2006)

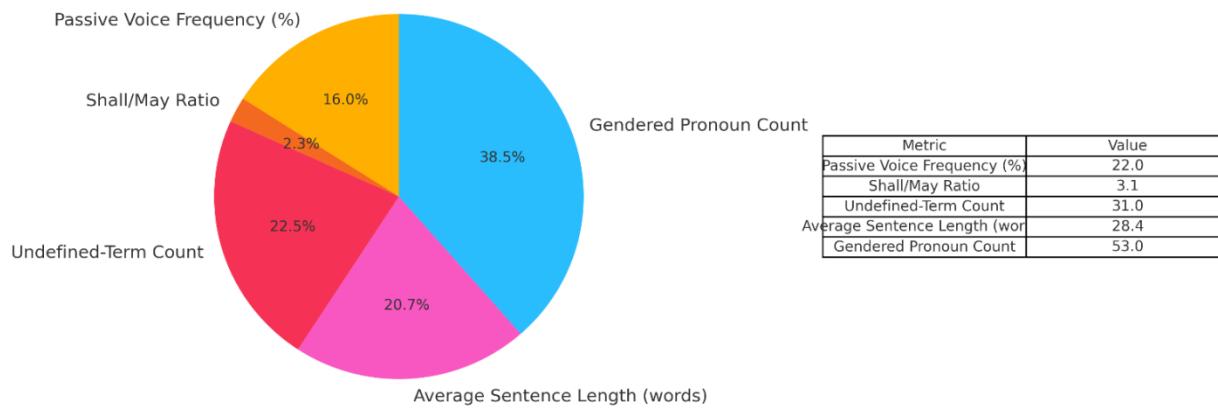


Figure 1: Distribution of Key Metrics of PEEDA Act (2006)

4.3. Summary of PEEDA’s Forensic Stylistic Features

In summary, the PEEDA Act, while structurally organized and legally rigorous, suffers from several linguistic and stylistic shortcomings. These may hinder its fairness and accessibility.

A detailed analysis of the loopholes in the PEEDA Act (2006) reveals several critical **linguistic and structural flaws** that impede its effectiveness. These loopholes, such as **suppression of agency, inconsistent modality, and undefined key terms**, contribute to **procedural ambiguity, administrative manipulation, and disproportionate punishments**.

Moreover, the Act’s **exclusionary language** and **overbroad immunity provisions** undermine **fairness and accountability**. Addressing these issues is crucial for ensuring that the PEEDA Act functions as a fair, transparent, and effective legal instrument in the public sector.

Table 1: Forensic Stylistically Extracted Loopholes in PEEDA

Loophole	How It Arises	Stylistic Feature Involved	Practical Risk
Suppressed Agency	Passive constructions	Lack of responsible agent	No one is accountable
Mixed Modality	“Shall” vs “May” used inconsistently	Modality inconsistency	Discretion in procedure execution
Undefined Terms	Vague keywords with no legal grounding	Open-textured vocabulary	Inconsistent interpretation
Ambiguous Penalties	No framework for assigning penalties	Rhetorical imbalance	Disproportionate punishments
Weak Cohesion	Repetitive, unlinked sections	Poor narrative sequencing	Bypass or manipulation of steps
Gendered Language	Only male pronouns used	Exclusive language	Excludes or marginalizes

Obscured Immunity	Broad clause	“good faith”	Passive + vague qualifier	Blocks redress for misconduct
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4.4. Theoretical Analysis of the PEEDA Act (2006) Using Coulthard & Johnson's Forensic Linguistic Framework

4.4.1 Overview

This analysis employs the forensic linguistics framework established by Malcolm Coulthard and Alison Johnson in their seminal work, *An Introduction to Forensic Linguistics: Language in Evidence* (2007). Their model examines the intersections of language, law, and power, analyzing how legal texts function linguistically—not just in their content but also in their form and the implications that they have for governance. This work is essential for understanding the odd linguistic structures that populate the *Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act)* (2006).

More specifically, we examined how certain aspects of the Act's language might be underpinning power structures that are not entirely equal and may be making the Act's disciplinary procedures less clear and, consequently, less fair than they ought to be.

4.4.2. Core Components of the Forensic Linguistic Framework

The Coulthard-John framework (2007) identifies four components crucial to the analysis of legal texts. This framework facilitates the evaluation of legislative and disciplinary texts for clarity, impartiality, and fairness. Here are the four crucial components:

- 1. Textual Cohesion:** This refers to the extent to which a text effectively connects its ideas through logical progression, lexical consistency, and smooth transitions. In legal writing, strong cohesion ensures that the reader understands not just the immediate text but also how it fits into the whole body of legal standards and rulings.
- 2. Structure of Discourse:** This examines how the text is organized, particularly in terms of the distribution of authority and control within institutions. It examines the text to see how the instances of speech or writing make the powerful institutions appear to "win" in any argument. It highlights all the non-institutional actors (such as employees) who seem to have no way to refute the powerful institutional figures because those institutional voices are so (apparently) authoritative.
- 3. Pragmatic Interpretation:** This involves examining the real-world consequences or inferred meanings of linguistic decisions. The language of the law frequently incorporates terms that are ambiguous or subject to interpretation, which can affect, in practice, the application of laws.
- 4. Power and Control:** This area examines how power and control are embedded in language and how they are enacted through language. Authority, compliance, and dominance are all subject to various interpretative linguistic moves that, depending on how they are handled, can either shore up power structures or make them appear somewhat shaky. Legal texts are one place where this is especially important because they are often regarded as the definitive source of what is correct.

4.4.3. Analysis of the PEEDA Act (2006) through Coulthard and Johnson's Theoretical Model

A. Textual Cohesion

Observation:

The PEEDA Act lacks semantic links between sections, especially in the parts that describe its procedures. In place of clear transitional phrases, the Act uses dense, nested clauses that make some of the ideas it expresses hard to follow. **Example:**

- Sections 5–9 transition from the “**appointment of inquiry**” to the “**show-cause notice**” to the “**personal hearing**” with minimal internal linking phrases, such as “subsequently,” “as a result,” or “in the event of.”

Cohesive density is low, resulting in a relatively disjointed overall structure. Moreover, the disjointedness can obscure the logic of decision-making in legal processes. This fracturing of coherent narrative structure can occur due to random variation in the clear use of references across the entire system—what Coulthard and Johnson (2007) describe as a problem of “clear progression from one section to the next” (p. 42), our next area of focus.

B. Discourse Structure

Observation:

The PEEDA Act is almost entirely framed from the perspective of the disciplinary authority. This reflects an institutional bias that is rarely challenged. Employees do have a certain amount of room to maneuver, but that is mostly before you get to the disciplinary stages of the Act. Once authorities reach that point, there is a nearly impenetrable wall that very few have ever managed to get through.

Example:

- **Authority is named directly** in statements such as: “*The Authority may appoint an Inquiry Officer...*”
- The employee, on the other hand, is referred to as the “**accused**” or described passively: “*An inquiry shall be conducted...*”

The text is suffused with the **institutional voice** of the authority making the decisions. The employee's perspective is nearly absent. This is institutional discourse at its worst—a muddying of the power hierarchy—and also an infringement on the employee's potential to challenge the authority's actions. Coulthard and Johnson (2007) would likely characterize such an **imbalance in discourse structure as foregrounding the authority's power and backgrounding the employee's rights** with little else.

C. Pragmatic Interpretation

Observation:

Key disciplinary terms in the PEEDA Act are left undefined and **lexically vague**, allowing authorities to interpret them subjectively. This vagueness permits a broad range of possible inferences, which could and probably does lead to inconsistency and unfair treatment of people by those authorities.

Examples:

- **Section 3:** “*An employee may be proceeded against... on the grounds of inefficiency, misconduct, and corruption.*”
- Nevertheless, these terms are not defined anywhere in the Act, leaving their interpretation at the discretion of the authorities.

The open-textured nature of terms like “inefficiency,” “misconduct,” and “corruption” allows for discretionary interpretation, which may be biased or arbitrary. As Coulthard and Johnson (2007) note, “vague lexical categories invite discretionary interpretation, often to the detriment of the less powerful party” (p. 74). This introduces a pragmatic power imbalance: the authority gets to apply the terms based on personal or institutional biases. Procedural fairness is pronounced as the less powerful party getting to interpret what it has done or not done in a way that favours it.

D. Power and Control

Observation:

Grammatical constructions in the PEEDA Act systematically suppress the identity of those enacting power. This is a key feature of coercive legal texts. The Act uses passive voice and vague phrasing to obscure the responsible agents behind the process. Furthermore, in doing so, it consolidates institutional control.

Examples:

- **Section 5:** “*An inquiry shall be completed...*”
- **Section 14:** “*No suit shall lie against any person...*”

These passive constructions create an anonymous institutional control. Coulthard and Johnson (2007) describe this as a characteristic of coercive legal language: **“Legal power is often enacted through suppression of agents and elevation of procedure, giving the illusion of neutrality while consolidating control”** (p. 93). However, even if we accept the premise that power can be enacted through language, what about the new law that allows this operational power to continue freely? The immunity clause in **Section 14**, with its vague “good faith” qualifier, reinforces institutional impunity.

4.4.4. Critical Inferences and Theoretical Insights

By applying Coulthard and Johnson’s forensic linguistic framework, the following critical inferences can be made about the linguistic features of the PEEDA Act:

Table 2: Coulthard and Johnson’s Modelic Inferences from PEEDA

Theoretical Feature	PEEDA Act Feature	Inference
Low Textual Cohesion	Weak transitions, fragmented structure	Disrupts procedural clarity; makes the text easier to manipulate
Institutional Discourse Dominance	Authority-centered structure	Imbalance of narrative power; employee voice is absent
Open-Textured Lexis	Undefined disciplinary terms	Invites interpretive bias; fails to ensure procedural fairness
Suppression of Agency	Passive constructions in key clauses	Obscures responsibility; reduces institutional accountability
Pragmatic Power	Modal verbs used inconsistently	Permits selective enforcement; undermines due process
Legal Impunity through Language	Immunity clauses and vague qualifiers	Consolidates institutional control over rights enforcement

Coulthard and Johnson’s forensic stylistic framework reveals that the **PEEDA Act (2006)** is **linguistically constructed** in a way that reinforces state power and maintains disciplinary control. This is often at the expense of **linguistic clarity, interpretive fairness, and procedural balance**. As Coulthard and Johnson (2007) assert, **“Language is not just a tool of law but a mechanism of control within it”** (p. 8). The PEEDA Act exemplifies how language can serve as a mechanism to validate institutional control while simultaneously limiting the transparency and fairness of the legal processes it governs.

4.5 Comprehensive Analysis of PEEDA Act (2006): Integrated Forensic Stylistic and Theoretical Evaluation

On the surface, the Act presents a comprehensive and seemingly systematic approach to managing public service standards. It lays out clear and convenient procedures for addressing misconduct, inefficiency, and breaches of discipline by public sector employees. The Act even has the semblance of an enforceable code.

The integrated approach of combining forensic stylistic analysis with theoretical insights provides a thorough understanding of how language within the Act influences its procedural efficacy and its impact on both the employees subjected to it and the system as a whole.

4.5.2 Strengths of the PEEDA Act

Despite the identified flaws, the PEEDA Act does have certain strengths that contribute to its function as a legislative document:

Table 3: Strengths of PEEDA

Aspect	Strength	Explanation
Formal Register	Maintains a legal tone	The language used is institutionally appropriate and authoritative, adhering to the norms expected from legal and statutory documents.
Structural Consistency	Hierarchically ordered	The Act is divided into sections, subsections, and clauses, following a clear legal convention that facilitates referencing and organization.
Procedural Outline	Basic process outlined	The steps for inquiry, issuance of show-cause notices, penalties, and appeals are formally sequenced, providing a basic framework for discipline.
Penalties Categorized	Separates major and minor penalties.	The Act differentiates between major and minor penalties, offering a framework for disciplinary outcomes and ensuring some level of consistency in punishment.

These strengths reflect the Act's design to meet legal conventions. This is important for ensuring that the document functions within its intended legislative framework. However, while these strengths provide a formal and hierarchical structure, they do not fully address the significant linguistic and structural issues that affect the clarity and fairness of the Act.

Strengths of the PEEDA Act



Figure 2: Strengths of the PEEDA Act

4.5.3 Integrated View of Weaknesses

A more thorough analysis of the PEEDA Act reveals several weaknesses and loopholes, which can be attributed to both its linguistic choices and the theoretical frameworks that govern its structure and interpretation. Below, the weaknesses identified are connected to specific linguistic causes and evaluated using Coulthard and Johnson's theoretical insights:

Table 4: Integrated View of PEEDA's Weaknesses

Type	Description	Linguistic Cause	Theoretical Insight (Coulthard & Johnson)
Ambiguity of Key Terms	Terms "inefficiency" and "misconduct" are not defined	like and "misconduct" are not defined Open-textured lexis	These vague terms allow for discretionary interpretation, resulting in a lack of legal certainty.

Suppressed Agency	Unclear who carries out actions	Excessive passive voice	The suppression of the agent obscures responsibility, deflecting accountability.
Modal Inconsistency	“Shall” and “may” used interchangeably	Ambiguous obligation vs discretion	This creates variance in interpretation and opens the door for selective application.
Structural Incoherence	Overlapping procedures with poor cohesion	Missing transitions and semantic links	Weak cohesion reduces clarity, leading to procedural fragmentation and confusion.
Imbalanced Discourse	Focuses entirely on authority; the employee is passive	Asymmetrical narrative structure	Reinforces institutional power while marginalizing employee agency and rights.
Gender Bias	Uses exclusively masculine pronouns	Outdated linguistic style	Marginalizes non-male employees, violating modern drafting standards.
Immunity Clauses	Blanket protection for authorities using vague terms like "good faith."	Ambiguously phrased legalese	Protects misconduct by authorities, making it difficult to challenge decisions.

The combined theoretical and linguistic evaluation reveals how these weaknesses, rooted in specific stylistic and structural issues, undermine the fairness and operational clarity of the Act.

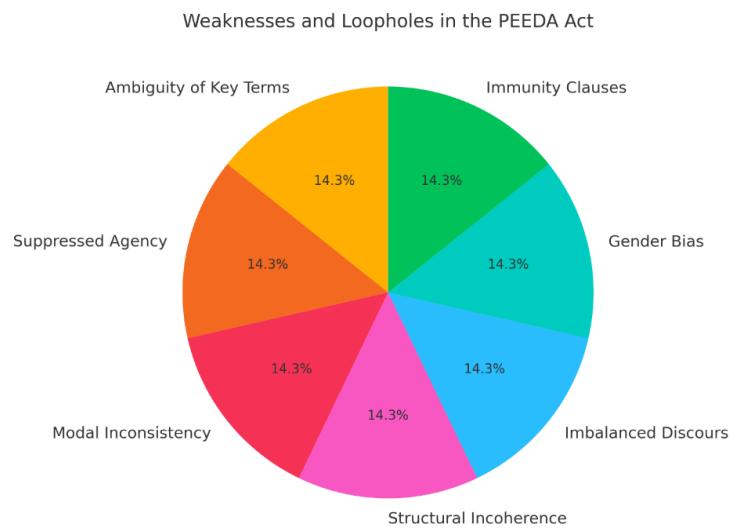


Figure 3: Loopholes in PEEDA Act

4.5.4. How These Weaknesses Can Harm Accused

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The Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act, 2006) has significant practical consequences for the employees subjected to its disciplinary processes, and its linguistic and structural flaws have unduly affected those employees. Left unaddressed, these flaws can lead to unfair treatment and an accountability system that works unequally for some. Viewing these issues from the Pakistani context makes the situation for public sector employees crystal clear.

1. Lack of Legal Predictability

Undefined terms in the PEEDA Act, such as "inefficiency" and "misconduct," create interpretative uncertainty, leaving employees unsure about what constitutes a punishable offence. This vagueness allows authorities to apply retroactive interpretations of behavior, subjecting employees to disciplinary action based on vague or shifting criteria. Educators in government schools have faced this kind of treatment despite meeting their baseline duties; vague allegations of inefficiency have been used to penalize them (Ali, 2019). Without clear guidelines, this kind of interpretative flexibility opens the door for arbitrary decision-making by authorities.

2. Procedural Ambiguity

This ambiguity potentially allows them to skip or modify certain steps in order to achieve a desired outcome. For example, suppose a government authority wants to dismiss an employee. In that case, it can use the split interpretation of discretionary powers under the cover of modal verbs and passive voice to do so without a fair hearing. The problem is exacerbated because many of the legal steps that are part of a 'just cause' disciplinary framework can be judicially reviewed only after the decision has been made at the final stage of the process.

3. Power Asymmetry

The focus of the discourse structure of the PEEDA Act is almost entirely from the perspective of the disciplinary authority, as opposed to the "accused" employee who is left passive and unable to mount an effective defense in a legal proceeding.

For instance, in disciplinary proceedings within Pakistan's civil service, the accused employee is often referred to as the "accused" in official notices, and the language tends to focus on the authority's actions rather than those of the employee. Such structural imbalances are evident in departmental hearings, where senior officers tend to dominate and the employee is at a significant disadvantage (Bhatti, 2018).

4. Obstruction of Due Process

The PEEDA Act's immunity clauses, especially those expressed in vague terms such as "good faith," serve to prevent judicial retribution for employees who might be penalized unfairly. By giving a protective blanket to most authorities, the Act severely limits the opportunities afforded to various employees to seek legal recourse in cases where they might have been wrongly disciplined. The "good faith" language often used in the Act protects our government from the consequences of unjust actions.

4.5.5. Impacts of Loopholes on the System at Large

The **weaknesses within the PEEDA Act** do not merely affect individual employees but have **broader consequences** for the institutional integrity and **public trust** in the public sector disciplinary system. The identified flaws create an environment where the **rule of law** is compromised, resulting in **unequal treatment** of employees and **systemic inefficiencies**.

1. Inconsistent Enforcement

The use of discretionary language and inconsistent modalities in the PEEDA Act has led to the law not being uniformly applied across the various departments of the federal government. This variability in applying the law has led to a culture of arbitrariness, where decisions are made based on individual discretion rather than established legal standards.

2. Encouragement of Bureaucratic Abuse

The undefined terms in the PEEDA Act and the passive voice within it embolden biased or corrupt officials to punish employees selectively and do so with minimal accountability. They provide an opportunity for personal vendettas; using the Act as a cover, officials can punish employees for political or personal reasons rather than basing disciplinary actions on findings of clear and serious misconduct.

Reports of corruption in local government departments often highlight how senior officials use PEEDA-like provisions and other tools of the trade to exact revenge and punish those who act in the public interest or by the Constitution.

3. Erosion of Employee Morale

An ambiguous and insecure disciplinary environment breeds a culture of fear and resentment among employees.

In Pakistan's public sector, where employee morale is already low due to bureaucratic inefficiencies and a lack of accountability, the PEEDA Act exacerbates these problems. Both public health workers and teachers feel somewhat marginalized and fearful of facing unjust disciplinary actions under the Act, particularly since key terms such as "misconduct" have not been precisely defined (Ali, 2019).

4. Legal Vulnerability

The ambiguous and poorly crafted provisions of the PEEDA Act render it vulnerable to constitutional challenges and misinterpretation in court. This ambiguity creates legal uncertainty, making it difficult to predict the likely outcome of any disciplinary case or appeal. Unfortunately, this time lag also increases the likelihood that the disciplinary action challenged under the PEEDA Act will be upheld, as the process of proceeding with any legal challenge to such actions is lengthy (Javed, 2021).

5. Conclusion

A detailed review of the Punjab Employees Efficiency, Discipline, and Accountability Act (PEEDA Act, 2006) has been carried out. The Act has some significant gaps and flaws that could render it not only somewhat unfair (which it certainly could) but also somewhat unconstitutional.

The excessive use of the passive voice, hides responsibility and dampens accountability. Quite simply, it makes the disciplinary process less clear when trying to determine who is responsible for what. This lack of clarity, in turn, allows those in authority to evade responsibility because it is effectively saying, 'This process works. Trust us. However, we can't tell you why. And don't ask too many questions.'

The act has an excessive use of modal verbs. These are the pesky little words that hint at possibility (can, could), necessity (must, have to), and a range of other meanings that balance on a tightrope between suggesting what is not optional (mandatory) and what is optional (discretionary).

The Act has some significant inconsistencies in the way it uses models, which result in ambiguity that leads to some of the interpretative discrepancies and 'selective enforcement'.

The **power asymmetry** inherent in the Act's structure further disempowers employees. By framing the document from the perspective of the authority and using language that marginalizes the accused, the Act tilts the balance of power in favor of institutional control. This reduces the accused's ability to appeal or challenge decisions, resulting in a **weakened defense** and compromised **due process**. Furthermore, the **immunity provisions** prevent meaningful oversight, consolidating power within the bureaucracy and reducing the potential for **accountability**.

The future revision should consider that the gendered language of the Act needs to be rethought, and the language of immunity must be revised to ensure that public servants are not shielded from any kind of accountability. Lastly, a little psychological realism could help the future of the next drafts. The Act should be viewed as more than a guide for implementing best practices in the public sector; it should also, at a fundamental human level, be seen as contributing to a healthier organizational culture in the public sector.

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