

**LANGUAGE AS A LINGUISTIC CAPITAL IN
ACCESS TO JUSTICE: A STUDY OF
ENGLISH AND URDU IN THE LEGAL
SYSTEM OF PAKISTAN**

BY

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**FACULTY OF ARTS & HUMANITIES
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ABSTRACT

Title: Language as a Linguistic Capital in Access to Justice: A Study of English and Urdu in the Legal System of Pakistan

This study investigates the power of language as linguistic capital in affecting access to justice in Pakistan, with a specific emphasis on English and Urdu in legal communication. Applying Pierre Bourdieu's theory of linguistic capital, the study examines how language proficiency and official preference determine people's ability to interact effectively in legal processes. A quantitative research approach was employed, with 100 respondents—50 lawyers and 50 litigants—selected by probability-based stratified sampling from Rawalpindi district courts. The data was obtained using a closed-ended questionnaire. The sample corresponded to gender, age, income, and residence. The data was analyzed through SPSS and descriptive statistical techniques. The findings highlight that, irrespective of its dominance in legal settings, English creates significant obstacles for litigants and even lawyers, most frequently hindering understanding, participation, and procedural rights. However, Urdu has been perceived as a more easily understood and successful means of communication in the legal system. The research asserts that English operates as a type of linguistic capital that contributes to a socioeconomically privileged class, whereas it marginalizes the majority, perpetuating current systems of power. Urdu must be used as a legal language to promote access to justice and improve the quality of legal communication. The findings indicate the need for an Urdu-inclusive legal system that stimulates more justice and public trust in the legal system. This study complements broader discussions regarding language equality and postcolonial legal reforms by reiterating the necessity for policy modifications that ensure that justice is not linguistically confined but must be readily available to everyone.

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LIST OF ABBREVIATIONS

ANOVA:	Analysis of Variance
ESL:	English as a Second Language
L1:	First Language
L2:	Second Language
LEP:	Limited English Proficiency
LEAP:	Legal Education and Access Portal
SD:	Standard Deviation
SPSS:	Statistical Package for Social Sciences
UNDP:	United Nations Development Programme

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DEDICATION

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CHAPTER 1

INTRODUCTION

1.1 Overview

Pakistan is a multilingual state where Urdu is the national language and English serves as an official language. According to *Pakistan | Ethnologue* (2025), it is determined that given the country's linguistic diversity, 80 languages (68 living Indigenous and 12 living non-indigenous) are utilized at various levels; nevertheless, English is regarded as a symbol of priority and a highly privileged language, even in the post-colonial era. The effects of decolonization continue to promote English in every aspect of life. Although the Constitution of Pakistan (1973) states in clause (1) of Article 251 that “the national language of Pakistan is Urdu, and arrangements shall be made for its use as official and other purposes within fifteen years from the commencement day,” Ahmad et al. (2020) note that clause (1) asserts that citizens of the state should ideally speak Urdu as the national language, intended for use in nearly all domains of state activity by 1988.

Consequently, English could retain its status as an official language until Urdu attained the same standing. Unfortunately, till the year of 2025, no arrangements have been made for its replacement by Urdu. Another contributing factor to this delay lies in the shortcomings of Pakistan's language policy following decolonization, despite the country's nationalistic approach to the language policy domain. The dominance of the English language in judicial systems worldwide presents a significant barrier to justice for non-English speakers. In many former colonies, English remains the primary language for legal instruction, judicial proceedings, and government documentation.

This situation complicates the understanding and navigation of the legal system for those who do not speak English, resulting in significant disparities in access to justice. Non-English speakers are at risk as they cannot comprehend legal rights, court procedures, or official documents, leaving them vulnerable to exploitation, wrongful convictions, and legal misinformation. Non-English speakers face one of the most fundamental challenges in legal systems: a lack of understanding of legal rights. Laws, court decisions, contracts, and official documents are often written in complex legal English that is difficult to comprehend, even for native speakers.

Individuals with limited English proficiency experience uncertainty and cannot fully grasp their rights and responsibilities. Many may inadvertently forfeit their legal rights, delay necessary legal actions, or misinterpret legal agreements, leading to significant injustice. For instance, a worker who signs an employment contract in English without fully understanding its provisions might be exploited and lack legal recourse. According to Jan (2016), Pakistan is not regarded as an ethnically and linguistically balanced state. Based on a common language, early language policymakers aspired for a separate nation, and after the independence of 1947, those who migrated from India to Pakistan were generally more educated than the locals and spoke Urdu. In this context, Urdu was recognized as the language of the Muslims, while Hindi was spoken by Hindus.

The researcher deems this significance as it serves as a reason why Urdu was granted national language status following independence. Since that partition, English has been designated as the official language and the language of the elite in Pakistan, and these distinctions have been prominently showcased to the general populace to establish the dominance of this language. According to Rahman (2003), Pakistan's language policies produced negative consequences, contributing to the country's decline in cultural and linguistic diversity, which ultimately leads the youth to forget their roots and, most importantly, their identities. There appears to be a conflict between the Urdu and English languages regarding their dominance.

Moreover, there has been a substantial increase in the use of English as the official language in Parliament, the Judiciary, Administration, Bureaucracy, Health, and Education. In the judicial system, the majority of communication, whether written or oral, occurs in English, creating numerous challenges for laypersons to navigate. Pakistan's judicial system consists of three main tiers of courts: the Supreme Court, High Courts, and Lower Courts. At the lower court level, laypersons seek immediate access to justice, as these courts serve as the initial platform to file their cases before progressing to the higher courts. Due to their diverse linguistic backgrounds, many laypersons struggle to comprehend legal terminology, rendering them unable to adequately defend their cases during court proceedings or cross-examination.

Another significant issue is the challenges faced by non-English speakers in navigating legal processes. Court procedures, filing petitions, and understanding legal rulings demand not just basic English proficiency but also familiarity with legal jargon.

Many individuals from rural or disadvantaged communities have not received a formal English education, making it difficult to prepare accurate legal documents. Consequently, procedural errors can result in cases being postponed, dismissed, or improperly handled, exacerbating the already challenging economic and social circumstances for non-English speakers. Due to the complexities of the language, non-English speakers often find themselves reliant on solicitors and translators, which can be expensive and unreliable. Solicitors fluent in English frequently charge exorbitant fees, making legal assistance unaffordable for many impoverished or underprivileged populations.

While court-appointed translators may be present, interpretation is not always precise, causing misinterpretation among clients, attorneys, and judges. Miscommunication in court procedures can have major implications, such as inaccurate testimony being recorded or evidence being misinterpreted. In some cases, solicitors may even exploit clients' poor English proficiency by deceiving them for financial or intended gain.

The inability to comprehend and communicate in English also results in unfair trials and incorrect legal conclusions. Professional legal representation necessitates the ability to defend and explain one's position convincingly. Anyway, non-English speakers sometimes struggle to communicate efficiently in court, making it difficult to defend their case. If they do not grasp legal reasoning, witness testimony, or court rulings, they risk being distorted or misinterpreted. In criminal circumstances, this might result in false convictions, excessively harsh punishments, or unfair judgments. For example, a person accused of a crime may not completely comprehend their right to stay silent or the relevance of specific evidence given against them, resulting in serious repercussions.

The research was conducted on Language as a Social Determinant of Access to Justice by Toit (2021). According to her work, various social factors affect access to justice. Among those factors, a significant one is language. If the public cannot get information related to their rights in a language that is easily understood, then access to justice becomes limited and low. Communicating in a language other than mother tongue or language may result in linguistic barriers in the course of justice in the legal system. Language polishes and blooms one's ability to participate in the legal processes and procedures from individual to institutional levels. Hence, the researcher agrees with

the above analysis of Michelle and concludes that the legal genre should be in a language that is understood by the majority of the public in the state. So, it helps people get to know their rights and duties as citizens.

As the subject and theme of Article 251 of the Constitution of 1973 could not be fulfilled, there have been linguistic issues in the judicial process. Such linguistic issues are becoming barriers to access to justice. It has also been observed that not only do laymen face problems, but also lawyers and judges face communication gaps and issues in their communities. English has been the language of the courts since the colonial period, which is now raising numerous issues regarding the use of this language in the legal matters of Pakistan.

Additionally, the prevalence of English in legal education and professional practice presents challenges for aspiring attorneys, judges, and legal academics who do not speak English well. Numerous legal training programs and professional tests are held primarily in English, restricting non-English speakers from entering the legal profession. This strengthens the English-speaking elite's dominance over the judicial system, excluding the majority of people. When legal experts, judges, and politicians do not understand the people's native languages, they may overlook cultural and linguistic subtleties in their rulings, resulting in verdicts that may not accurately reflect the actual circumstances of the larger society.

Language barriers in judicial systems have a substantial influence on economic and social fairness. Many non-English-speaking laborers, farmers, and small company owners sign English-language contracts without fully comprehending the provisions, leaving them exposed to unscrupulous arrangements. Women, minorities, and poor groups face even higher barriers to accessing justice since they frequently lack the educational foundation required to interact with an English-language court system. Land disputes, inheritance concerns, and employment conflicts frequently benefit English-speaking aristocrats over non-English-speaking applicants, exacerbating societal inequities.

Although protection has been discussed under Title VI of the Civil Rights Act or the Court Interpreters Act, LEP individuals are making continuous struggles to get access to justice in the courts, especially as such attempts and struggles are baffled by those who are tasked with implementing justice (Lhmud, 2023). The Constitution of Pakistan

also emphasizes elevating the status of the national language, which is still deliberately neglected, and relevant authorities are not paying attention to this side.

In the judicial system of Pakistan, fewer judges, petitioners, litigants, defendants, and counsels know English well and proficiently use it in the court setting. Those who are unaware of the use of the English language become victims of not getting the right justice in the legal system, and such people are mostly pushed toward the margins to ignore their right to justice (Ahmad et al., 2020). It means that our judicial system is not providing justice to laymen who are facing explicit issues in the use of legalese in courtrooms. Such laymen cannot address their communication problems with the system and remain unaware of their rights.

Services related to language transcend beyond conventional translation to encompass an awareness of cultural intricacies and context. Legal relations in multicultural communities sometimes include individuals with varied cultural origins and opinions. Trained translation and interpretation professionals possess the cultural competence to manage these issues with care, ensuring that communication is accurate and culturally legitimate. Language limitations should never prevent anyone from getting legal services. Funding in accessible language projects allows legal institutions to widen their audience and better serve different communities. Proactive initiatives, such as providing translated legal papers and interpreter services during client appointments, improve accessibility and enable individuals to properly exercise their legal rights. Language availability is an essential component of a just and equitable justice system. By addressing language obstacles and embracing language services' fundamental power, legal institutions can observe justice principles and ensure that every person has equal exposure to constitutional rights and protective measures.

It is a universal phenomenon that every language, especially national languages and indigenous languages, affects society and vice versa. Similarly, in the domain of language, power, and identity, we observe that a language contains power and identity perspectives that are quite acceptable in our country. Because our system has associated power with the English language as an official language, that is the reason that the elite class shows its power over the poor class through the use of this language. Such discrimination in the distribution of power and identity amongst the citizens creates social classes in Pakistan, and these factors also contribute to the production of linguistic capital through the use of the English language.

Ihmud (2023) has also claimed that those having less proficiency in the English language may face numerous challenges in America. As a result, they get low salaries and have a low level of education. Such people may also face injustice and discrimination in getting jobs, housing, and other allowances. Owing to such vulnerability, the legal teams and professionals have a responsibility to ensure that the judicial system supports and aids those who are not proficient in the English language. This means that the researcher finds these claims true in Pakistan, where laymen face the same conditions as those people or speakers who are not proficient in English. Sometimes these situations are also faced by those to whom this language becomes quite unfamiliar and beyond their level of understanding.

So, this research finds all the possible root causes of inconvenience and issues in the access to justice for laymen owing to the language of the court (English) as a linguistic capital. It presents practical solutions and suggestions towards access to justice in the multilingual courtrooms of Pakistan. This study also aims to determine which language should be the official language of the court/legal system and the linguistic capital required to address the linguistic, cultural, and identity issues faced by litigants, defendants, and lawyers within the judicial system.

1.2 Background to the Study

In this research, the background of the study highlights that language functions in various aspects of the system, such as power dynamics in the social domain. In the legal system, it serves as the foundation for communication among lawyers, litigants, and judges. The subject of the study is language as linguistic capital within the legal system of Pakistan, and it functions as legal power and dominates over other factors. In Pakistan, the judiciary operates in the English language. Court proceedings, legal documents, hearings, etc., are conducted in this medium.

We recognize the significant role of the national language. This study outlines several reasons to show the importance of language as linguistic capital in the legal system. For instance, it emphasizes the significance of English in judicial processes, legal papers, and laws. It also examines the language barrier between legal bodies and the general public, exploring how linguistic hurdles impact access to justice, particularly for vulnerable groups. Furthermore, it describes how competence in English benefits the legally affluent, including solicitors, magistrates, and lawmakers.

It investigates the disadvantages experienced by litigants, especially those who struggle to navigate legal support in an English-dominated system. It also explains how language has obstructed justice in specific situations or legal matters. The descriptions provided by other scholars indicate that linguistic barriers must be addressed so that ordinary individuals can access the courts and obtain justice. In contrast, this study provides insights into the role of language as a linguistic capital in access to justice.

1.3 Thesis Statement

In Pakistan, laypeople generally know their native or mother tongues and Urdu, but tend to be reluctant to use English in their workplaces. When examining the medium of communication in Pakistan's courts, which is predominantly English, it continues to influence legal communication, serving as the official language for law, legislation, and court processes. Incompetency in English determines serious issues about equal access to justice. Its use in the judicial system not only causes a communication barrier for litigants and many lawyers, but it also retains social hierarchies and institutional discrimination that become apparent from language disparity. Hence, it is evident that many individuals face significant challenges in communicating with lawyers and judges. As a result, they struggle to present their case effectively and remain unaware of court proceedings and the contents of legal documents. It has also been observed that during cross-examination, applicants or petitioners may be unable to understand the arguments put forth by their respective counsels and the proceedings dictated by the judges.

Thus, in our country, English as an official language poses a barrier to these individuals in their pursuit of justice. This research explores the linguistic barriers present in Pakistan's courts, their underlying causes, and potential solutions. Nevertheless, a large number of people are more competent in Urdu, the national language. The researcher also examines the role of Urdu as linguistic capital in accessing justice within legal settings.

Based on Bourdieu's theory of linguistic capital, the present research examines how language can assist or restrict access to justice. It analyzes the comparative roles of English and Urdu in Pakistan's legal system, emphasizing how English dominance interferes with the public's understanding, engagement, and trust in decisions made by courts. The current research declares that adopting Urdu as a real and practical legal

language might decentralize the legal system and strengthen the linguistic capital of the public at large, fostering better justice and equality.

1.4 Rationale for the Study

Among multilingual nations like Pakistan, language has a tremendous impact on access to justice. Given Urdu's status as the national language and the most commonly used means of communication across socioeconomic groups, English maintains dominance in legal processes, paperwork, and judicial discourse. This language selection endorses a system that advantages the privileged (who are proficient in English) and restricts individuals who cannot communicate in English proficiently. The adoption of English in the field of law is more than just a colonial remnant; it is an underlying issue that reinforces inequality, hindering most citizens' ability to comprehend and participate completely in court proceedings. The rationale of this study stems from an immediate need to understand how the dominance of English and minimal usage of Urdu in the legal system influence litigants' access to justice. The investigation also highlights a major gap in studies conducted in Pakistan on how selecting a language exerts an aspect of symbolic power, figuring out who may successfully undergo legal processes and who is eliminated.

Furthermore, the rationale behind the study is to advocate for the promotion and elevation of the national language (Urdu) and its recognition as linguistic capital alongside its status as an official language across all sectors of Pakistani society, including the judiciary and legal system (as acknowledged in the Constitution of Pakistan).

1.5 Significance of the Study

We have numerous challenges in Pakistan today. Among these challenges, linguistic barriers are particularly pressing. Not only do the executive, parliament, education, and health sectors face communication challenges, but our judiciary also grapples with promoting the use of the English language. Consequently, laypeople struggle to articulate their points in the courtroom and experience linguistic difficulties, ultimately obstructing access to justice for those without an educational background.

This present study is noteworthy as it thoroughly investigates the connection of language, power, and justice in Pakistan's legal framework. By studying how English

and Urdu serve as linguistic capital, it underscores the function of language in promoting or hindering access to justice for a substantial portion of the general public. The findings are supposed to drive legal reform by enabling greater language inclusiveness of Urdu in courts and necessary guidelines that support legal correspondence to be readily available to all, no matter what socioeconomic or educational level. Additionally, the study belongs to the larger scholarly discussion of language justice and fundamental rights in postcolonial systems of justice, presenting findings that will be beneficial for legislators, legal educators, and language scholars. The study demonstrates the critical need for setting up a more linguistically progressive judicial system in Pakistan, where Urdu must be used as a legal language/legalese by focusing the analysis on the personal experiences of both litigants and lawyers.

This research does not aim to oppose the use of English; rather, it determines which language must serve as our official language (legalese) within the legal domain to ensure the provision and access to justice.

1.6 Research Objectives

1. To examine the impact of English on access to justice and the quality of legal communication for litigants and lawyers who lack proficiency in English.
2. To explore how the English language influences public perception and the legitimacy of Pakistan's judiciary and legal system.

1.7 Research Questions

1. How does the use of English affect access to justice and the quality of legal communication for litigants and lawyers who are not proficient in English?
2. How does the use of English affect the public perception and legitimacy of the judiciary and the legal system in Pakistan?

1.8 Delimitations

Delimitations are essential for any study as they guide the investigator to work within specified constraints, fostering credibility and the authenticity of findings. Furthermore, they allow the researcher to generalize conclusions/results to a larger population, while also identifying areas for future scholars to explore potential research gaps. This research is confined to the district courts of Rawalpindi in Pakistan. It focuses exclusively on litigants, defendants, and lawyers and does not include judges

or lawmakers, as these participants can be effectively reached within the given time constraints.

1.9 Organization and Structure of the Thesis

Chapter 1: This chapter introduces the topic, discussing the research's objectives and questions. Additionally, it outlines the significance/rationale of the study, delimitations, and research problem.

Chapter 2: This chapter offers a comprehensive review of relevant literature about the current study.

Chapter 3: This chapter details the methodology and approaches employed in this study. It provides an in-depth description of the roadmap and execution of the methods and techniques used, considering the data collection methodology and specific instruments applied during the study. Moreover, it outlines the other methods and protocols employed for data sampling.

Chapter 4: This chapter presents the analysis of the collected data and corresponding findings.

Chapter 5: This chapter concludes with findings and recommendations based on the results of the current research.

1.10 Chapter Summary

This section offers a brief overview of the current investigation, detailing the study's relevant background that propelled the exploration. It provides a framework for the investigation by clarifying the methodology used and supporting justifications. This chapter elaborates on the study's aims and queries, while narrowing the scope of the subject and emphasizing its limitations. It summarizes the essential characteristics and domains of the current research.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

This chapter highlights the significance of legal language in the judicial system. There is no doubt that after independence, we are continuously facing linguistic issues on the way to access to justice because of the delay in the execution of Article 251 of the Constitution of Pakistan. All across the globe, every country gives its judicial services to every citizen irrespective of any linguistic discrimination, but in Pakistan, the situation is somehow different in a way that it has linguistic barriers. Since Pakistan is a multilingual state, where, along with provincial languages, we have two national and official languages. These languages show different outcomes on every level, where a layman faces multiple issues in access to justice. However, the investigator found the role of judicial language(s) in access to justice in the judicial system among other countries besides the Pakistani Judiciary. Also, the researcher looked at the role of a language as linguistic capital in access to justice in the legal system of Pakistan.

In Pakistan, we have English as a legal language, which means from the Lower courts to the Supreme Court, every legal document is preferably ready in this language, and the court proceedings are also encouraged to be done in it. Many studies show that the legal language must be the national language to avoid miscommunication and breach of justice for litigants and laymen. Without understanding the fundamental rights/laws and the country's laws, a person will always remain unaware of his/her rights and duties. Therefore, Language must be simple and easy to understand so that every citizen can enjoy rights and responsibilities. If language becomes difficult to understand, it becomes a barrier to access to justice. Thus, Urdu and English mediums show not only a difference in the level of proficiencies but also look at participants' perceptions of both their self-identities and worth as perceived by others in various walks of life (Norton, 1997). This shows that language carries a nation's identity wherever the speaker of that language goes. If we do not value the language of the nation, it ultimately lowers the value of the citizens in the eyes of the world.

The persistent use of English as the dominant legal language in many post-colonial nations may be traced back to colonial legal systems built to benefit colonial

administrators and a limited English-speaking elite. Even after gaining independence, many legal systems preserved English to ensure consistency with previous legal precedents, international trade, and foreign contacts. However, this decision has had long-term consequences: legal professionals, legislators, and judges are frequently selected from English-speaking socioeconomic strata, alienating the vast majority of non-English-speaking residents. This linguistic elitism perpetuates injustice since individuals who do not speak English are fundamentally excluded from making decisions in the legal system.

According to the research (Harley, n.d.) on Language as a barrier to justice- classic AustLII, it can be determined that language is an important strand inside or outside of the courtroom settings. This system manifests dialogues, sensitive talks, and word puzzles where language has to be the potentate of such circumstances. Besides many barriers, legal language is phenomenal for litigants, lawyers, and laymen. Moreover, proficiency in the legal language is worth attention to receive access to justice. Language is substantial in the legal system, and every proceeding depends upon legal jargon and dictations.

Many studies show that enlightening judges, attorneys, and court workers about the significance of accessibility to language and cultural awareness might help them communicate more effectively with LEP people. Simplifying legal papers and processes can make the court system more accessible to individuals with limited English proficiency. Considering the impact of English competence on legal correspondence and access to justice necessitates a holistic strategy that includes legislative changes, education, and distribution of resources to build an improved legal system for all people, regardless of language skills. It is pertinent to mention a reference from the report that declares that the legal aid worker needs to link with the relevant authorities to ensure that the litigants, defendants, or persons understand the language that is used in providing legal discourse (UNDOC, 2014, p. 96).

2.2 Historical Development of the Legal Language Concerning the Legal System

2.2.1 The Origin of Legal Language

- Ancient Legal Systems

Legal language has its origins in ancient civilizations such as Mesopotamia, whose Code of Conduct of Hammurabi (1754 BCE) became one of the first examples of written law. The legal language of the time was formal and ordered to communicate authority and clarity. Likewise, in Ancient Rome, judicial Latin was standardized to preserve continuity throughout the Roman Empire's judicial system. Long after Rome fell, Latin continued to serve as the cornerstone of legal language throughout Europe.

- Features of Ancient Legal Language

Early legal documents were succinct, formulaic, and authoritative, intending to become unchanging. The language stressed rigor to reduce ambiguity and disagreements.

2.2.2 Medieval Legal Language

- Latin as the Language of the Law

In the Medieval era, Latin was set as the primary legal language and was compulsory to use. Other local languages and their dialects were marginalized to form a unified system strictly implemented and influenced by the Catholic Church and Canon laws.

- The Rise of Colloquial Legal Language

By the 13th century, legal papers were increasingly being written in local dialects (e.g., English, French, and German) in addition to Latin. Norman-French had an impact on the formation of legal English in England after the invasion by the Normans in 1066. Many French concepts, including unlawful conduct, agreement, and legal services, have become part of English legal terminology.

2.2.3 Legal Language during the Early Modern Era

- The Codification and Normalization

The sixteenth and seventeenth centuries saw attempts to formalize and simplify legislation. This was demonstrated by projects such as the Code of the Napoleonic Empire (1804) in France, which substituted fragmented provincial laws with a uniform framework published in plain French. Other nations, such as Germany, adopted suit, making legislation more accessible through local vernaculars.

- The Emergence of English Legal Language

The Code of Pleading (1362) required English to be used in court proceedings in England, but Latin and Norman French remained the dominant languages in legal paperwork. English eventually became the dominant language of law, although it preserved many technical words and stylistic elements from Latin and French.

2.2.4 The Colonial Expansion and the Dissemination of Legal Language

- Imposing Legal Languages in the Colonies

In the era of European colonialism (the seventeenth to twentieth century), the conquerors imposed their legal structures and languages in all occupied territories. In British colonies, English became the official medium of communication for legal domains, while other languages, Spanish, French, and Portuguese, were used in different domains for official purposes. Consequently, the locals remained unfamiliar with the legal language used in the judiciary.

- Heterogeneous Legal Systems

Hybrid legal structures use the amalgamation of colonial legal systems and local principles in many parts of South Asia, the Middle East, and Africa. However, the supremacy of the European system and language marginalized the local languages and communities, resulting in the breach of justice. Locals faced numerous linguistic hurdles in accessing justice.

2.2.5 Today's Legal Language

- Legal Formality and Diversity

Nowadays, legal language is considered complex and inaccessible because of the difficult and technical use of jargon and vocabulary. Due to the intricate structures of legal sentences, people find it beyond their level of understanding. For common people, such a manner of complexity is the true depiction of injustice. It has been viewed as impossible sometimes to get a clear picture of the suits by the ordinary man. From the 20th century, bringing reforms in legal language has been a crucial subject for the stakeholders.

- Plain Language Movements

This movement became important during the mid-20th century, especially among English-speaking countries of English like the US, the UK, and Australia. It is the job of legal professionals to make the legal language simple for the general public to better understand. This way has had a significant impact on legal drafting these days.

2.2.6 Linguistic Constraints in Multilingual Legal Systems

- Post-Colonial Perspectives

Colonial languages such as English or French have been used in post-colonial nations like South Africa, India, and Pakistan as their second languages. Such linguistic division creates obstacles for the people who cannot comprehend the legal documents, framework, procedures, and language.

- Bilingual and Multilingual Legal Systems

Some countries are bilingual and multilingual, like Canada and South Africa, which have English and French, as well as many other spoken languages. Such countries have managed their legal frameworks for the promotion of their linguistic diversity. Meanwhile, there are translation issues between languages due to cultural and regional variations.

2.2.7 The Function of Legal Language in Facilitating Access to Justice

- Empirical Studies on Language Barriers

It has been observed that linguistic issues are associated with ordinary people. For example, Trinch (2003) discusses how language deficiency stops people from getting legal help. Similarly, studies conducted in multilingual nations like Pakistan emphasize prioritizing native languages, such as Urdu, to guarantee greater accessibility.

- Legal Precedents and Language Policies

Legal institutions worldwide are increasingly realizing the value of language accessibility. For example, courts in India have permitted the use of regional languages in some instances, while Pakistan's Supreme Court has promoted the use of Urdu in judicial procedures.

2.3 Role of English as a Foreign Language in Colonial and Other Countries in Access to Justice in the Past

Historically, it is uncommon for a country to successfully integrate a foreign language into its judicial system while disregarding or outperforming its native language, especially over lengthy periods. The majority of nations have succeeded in establishing legal frameworks in their original/ native language(s), with a few outliers where other languages were embraced for special reasons such as colonialism, global influence, or trade. The following are some examples of foreign languages playing an important part in the legal system; nonetheless, these examples frequently illustrate that countries have ultimately come back to adopting their native languages for greater public involvement.

2.3.1 Colonial and Post-Colonial India

- **Foreign Language:** English
- **National Language:** Hindi, Bengali, Tamil, Urdu, etc.
- **Context:** During British colonial control (17th-20th century), English was the primary language used for administration and law in India. The British legal system was enforced, and English was designated as the language of the judiciary, legislative bodies, and official documents. Even after attaining independence in 1947, India continued to use English in court proceedings, despite having a diverse range of regional languages.
 - **Outcome:** English continues to substantially impact India's legal system, particularly in court procedures, despite the presence of a national language (Hindi) and regional languages. English in the legal system has created clear differences between the rich and the poor classes. Due to such differences, people feel insecure while visiting courts to get justice.
 - **Analysis:** In India, the justice system has brought many reforms in legal areas. The use of English in the legal system still has limitations for residents. Irrespective of the successful democracy, English creates different challenges in understanding the legislation. So, this affects the majority of the population who do not speak this language.

2.3.2 South Africa

- **Foreign Language:** English, Dutch
- **National Language:** Afrikaans, Zulu, Xhosa, and others.
- **Context:** Throughout the colonial and apartheid centuries, English and Dutch remained the dominant languages of government and law in South Africa. Even though South Africa has 11 official languages, including Afrikaans, Zulu, and Xhosa, English remained dominant after apartheid ended.
 - **Outcome:** Despite attempts to encourage multilingualism and provide equal access to justice, South Africa's judicial system still uses English. The country has encountered difficulties in completely adopting a legal system that is equally open to all of its varied language minorities.
 - **Analysis:** The judicial system's reliance on English and Dutch limits access for non-fluent South Africans. Despite efforts to accommodate other languages, English remains the dominant language in legal affairs, resulting in a considerable disparity in legal understanding among the people.

2.3.3 The Philippines

- **Foreign Language:** Spanish, later English
- **National Language:** Filipino
- **Context:** From the 16th to the 19th centuries, Spain ruled the Philippines, and Spanish became the official language of government and legislation. During Spanish rule, the United States seized sovereignty of the Philippines, and English emerged as the main language in administration, education, and the legal system.
 - **Outcome:** Despite obtaining independence, the Philippines maintained English as its official language for legal and administrative activities. Even though Filipino (based on Tagalog) was adopted as the national language in the twentieth century, the judicial system continues to use English.
 - **Analysis:** While English has served an important part in the country's legal and educational institutions. The Filipino language has not been completely banished. However, the use of English maintains a barrier for a sizable proportion of the population, especially within rural regions, where Filipino or local languages are predominant. Like India, the employment of a foreign language has caused a schism

between the legal system and the common public, particularly in terms of comprehending rights and duties.

2.3.4 The United States

- **Foreign Language:** English (received via colonization)
- **National Language:** English (since the United States has no official language, English is the de facto language)
 - **Context:** The United States adopted English from its colonial overlords, the British. Although the United States does not have a language of state, English is the predominant language used in legal processes and government organizations.
 - **Outcome:** The US legal system has prospered with English as the main language, owing to the nation's historical and cultural links with England and the English-speaking globe.
 - **Analysis:** Unlike many other countries, the United States was founded by native speakers of English, and the English language has become profoundly ingrained in its legal, political, and cultural structures. However, the broad linguistic composition of the US population, which includes considerable Spanish-speaking groups, has prompted calls for extensive use of multilingual legal services, particularly in places with big Spanish-speaking populations. While English has served the United States well regarding legal access and exchanges, future decades may see further attempts to make room for non-English speakers.

2.3.5 United Arab Emirates

- **Foreign Language:** Arabic (Primary medium of communication), English (widely used as a foreign language)
 - **Context:** Arabic is the nation's primary language, and the legal system is mostly conducted in Arabic. However, because of the large overseas community and the worldwide economic climate, English is frequently used, particularly in commercial operations and business law. English is frequently used in deals, corporate agreements, and even certain court proceedings involving foreign corporations.
 - **Outcome:** Although Arabic is the official legal language, English is becoming increasingly used in corporate and international legal processes. This dual-language approach provides an edge in terms of worldwide connectedness but may alienate people who are not proficient in English.

- **Analysis:** The usage of Arabic guarantees that the judicial system is still accessible to Emiratis and Arabic speakers. However, the extensive use of English in legal proceedings produces a two-tiered system in which the privileged or those who have access to English-speaking legal experts' benefit. In such circumstances, boosting non-English speakers' access to legal information in Arabic will assist in filling the gap and guarantee more people have access to justice.

2.3.6 Pakistan

- **Foreign Language:** English
- **National Language:** Urdu
- **Context:** Pakistan acquired the British legal system, with English serving as the language of law. Since Urdu is the national language widely understood throughout the country, English continues to dominate the legal and administrative sectors. The legal system, which includes the court, legislative procedures, and official paperwork, is largely written in English.

- **Outcome:** The language gap has posed considerable challenges for the vast majority of the population who are unable to communicate English fluently. Despite being the official language, Urdu is infrequently utilized in court processes, limiting accessibility and comprehension for the general public.

- **Analysis:** English in Pakistan's legal system is a vestige of colonial authority; however, it is no longer practicable for the vast majority of its citizens. If Urdu were a preferable alternative for improving access to the judicial system, the continued use of English would cause bottlenecks and hamper most residents' capacity to understand court processes. A change to Urdu might improve access to justice, boost inclusion, and close the linguistic gap.

It has been observed after relevant studies that numerous countries conquered by English or other European powers adopted the colonizer's language as the official language of government and law. Due to linguistic issues, huge segments of the public have limited access to the judicial system. Despite attaining independence, several nations still employ foreign languages in their legal systems, creating impediments to justice and comprehension for the majority of the people. In certain situations, such as Indonesia, the native language was gradually used for legal purposes, which aided access to information. States with several languages, such as South Africa and India,

have made attempts to ensure that all languages are equally represented in their legal systems. While English or a colonial language has been preserved, some countries confront difficulties in providing full legal access to non-English-speaking communities.

To summarize, while some nations have achieved success in developing their legal systems despite the use of foreign languages, historical evidence shows that adopting a national or local language for judicial processes is critical for accessibility, inclusiveness, and equal justice.

In many countries, a national language in the judiciary improves access to justice for the public. In those countries where English and other foreign languages are used as the language of the legal system, non-native speakers face hurdles in access to justice. However, national languages truly play a role in minimizing the linguistic gaps when they are used in the legal processes. The shift to the national language from a foreign language is a dilemma. It seems hard to provide equal justice to every person, regardless of class, who has to visit the courts for any purpose.

In the Middle East and the Gulf countries, the Arabic language is used in legal processes because the majority of the population can easily understand it. Whereas English and French are used in commercial and international laws in these countries for non-Arabic speakers. All the judicial proceedings must happen in the national languages. Such as Arabic promotes fair justice in Arabic-speaking countries. To provide convenience, such nations also use other languages for translation purposes to give equal access to justice to the population.

2.4 Impact of English Proficiency on Access to Justice and Legal Communication

Every individual must attain justice effectively. Within the judicial system, linguistic barriers present significant challenges in comprehending legal language. Everyone desires a smooth administrative system of justice. Language obstacles affect the judicial process and create substantial issues within the legal system. A lack of English language skills among defendants, witnesses, and litigants can lead to miscommunication, incorrect interpretation, and an unfair legal climate. In court proceedings, linguistic variances must be addressed effectively to ensure full access to the judicial system.

Language services are essential resources for promoting effective communication within the court system. Professional translators and interpreters possess the specific expertise and language skills necessary to accurately translate legal terms and concepts across various linguistic boundaries. Language experts play a vital role in ensuring that everyone can understand and fully participate in proceedings, whether they occur in courtrooms, legal offices, or immigration hearings.

Language skills, accuracy, and clarity in communication are crucial in the legal profession. Misunderstandings can lead to breaches of justice, prolonged trials, increased costs, and a loss of public trust. Efficiently representing the community upholds public confidence in the judicial system. In this context, language proficiency can enhance the legal environment, making multilingual and bilingual staff important, particularly in courtrooms, where individuals from diverse linguistic backgrounds are increasingly present (Martinez, 2024). Moreover, being unable to articulate oneself in court may result in the loss of vital information, leading to misconceptions or incomplete narratives. Individuals may feel a lack of voice and representation when they cannot fully convey their account of events, defensive arguments, or effectively contest charges.

A programme by the Bell Foundation and Why Me? highlights the challenges faced by ESL (English as a Second Language) speakers within the UK's judicial processes. Among these obstacles are limited translation assistance and inconsistent language use in various assessments by legal experts, resulting in unequal access to justice. This study advocates for legal reforms and effective legal support regarding language for ESL speakers (Why Me? 2022). The report published by Language Testing International in 2023 focuses on how language testing can enhance legal outcomes. It underscores the importance of accurately assessing the English proficiency of legal personnel, interpreters, and individuals navigating the court system. Courts can ensure that respondents can smoothly comprehend and engage with legal processes by providing standardized assessments, minimizing discrepancies.

The judicial systems of the United States have highlighted the significance of language provisions and ensured fair trials. This encompasses resources for interpreters, training for legal practitioners, and efforts to mitigate language inequities. This study asserts that failing to accommodate LEP individuals contravenes their statutory right to proper justice (DOJ, 2023). It is not new knowledge that language can

be exploited as a form of power. Colonial languages have been intentionally employed by colonial powers for an extended period. It all hinges on their use; the more speakers utilize a language, the more significant it becomes (Leung, 2019).

2.4.1 Impact of Limited English Proficiency on Access to Justice and Legal Communication

People with Limited English Proficiency (LEP) cannot access justice without language assistance in court. If a person cannot comprehend or interact with the court due to a language barrier, they will be unable to fully engage in the case, and the court will lack the necessary information to make a fair judgment. This creates a lose-lose situation. Communication challenges resulting from insufficient language access services can lead to miscarriages of justice, delays, inaccurate records, unenforceable orders, and overturned decisions. Language access services are vital for maintaining the integrity of the judicial process and the smooth operation of our courts (Reasoner, 2016). Similarly, Limited English Proficiency poses significant challenges to obtaining justice, particularly in judicial systems where English is the dominant language. Non-native speakers often struggle to comprehend legal language, court procedures, and communicate effectively with judges and legal professionals (Eades, 2010).

Research indicates that language disparity often disadvantages individuals in the judicial system. In multilingual countries, litigants with poor English skills experience greater difficulties in navigating judicial proceedings than native English speakers (Gibbons, 2003). Those who understand the court's proceedings tend to receive benefits compared to those unable to articulate arguments during court trials. It has also been indicated that native speakers do not achieve equivalent outcomes from the legal system, as their language needs are overlooked. This study illustrates how a lack of English proficiency leads to adverse effects on the provision of justice. The quality of legal communication is also compromised by insufficient proficiency in English. In non-English-speaking countries, learning a language poses challenges.

Furthermore, Limited English Proficiency (LEP) primarily creates barriers to accessing justice. These barriers manifest in understanding constitutional rights, the judicial system, and related legal proceedings. Compared to English speakers, LEP individuals face systematic exclusion, resulting in inconsistent outcomes. The Department of Justice Language Access Program in the United States has sought to

address such concerns by providing interpretation and translation services to promote equitable and fair justice (Office for Access to Justice, 2023).

Efforts to standardize legal communication have been made to eliminate the inequalities mentioned in (Daedalus, 2023). In cases of language exclusion, core issues have been identified that highlight the standards and characteristics of legal language. In a multilingual country, different cultures and spoken languages exist, and such languages are typically not part of the legal system. Therefore, to effectively convey legal rights, standards must be established for legal language. Critics argue that there are techniques that uncover the underlying causes of legal language within the justice system. If efforts are made to reduce such linguistic diversity, then any country can provide fair justice to its citizens.

In courtroom settings, when a person articulates themselves effectively in legal matters, it conveys their emotions, including fear. Research has shown that individuals with limited English skills are more prone to experiencing injustice or shame (Trinch, 2003). People who cannot communicate effectively in legal environments, such as courtrooms, create barriers even if they speak different native languages. This linguistic diversity affects individuals' feelings, leading them to avoid addressing their matters within the judicial system. Such individuals often opt to settle their issues outside of court and do not pursue legal pathways to access justice.

Trinch (2003) also discusses that a deficiency in language can create obstacles for individuals seeking legal assistance. Those who cannot understand the dominant language, such as English, in the judicial system misinterpret legal laws and rights, facing hurdles due to linguistic limitations. Furthermore, individuals often feel humiliated and embarrassed when attempting to participate in judicial proceedings. Consequently, many avoid seeking legal help from practitioners, even when they have genuine issues and concerns in their daily lives.

This reluctance to pursue legal aid does not foster equal access to justice. The legal system must be equitable and readily available to every person in the country, even in the face of linguistic barriers. However, those who speak the dominant language, in comparison to non-native speakers, can access justice without prejudice. This situation leads to unequal outcomes across various socioeconomic classes, including minorities

and uneducated individuals. Thus, systematic disadvantages are imposed on non-native speakers of English.

Another study investigates the key barriers faced by individuals with Limited English Proficiency (LEP) in their pursuit of justice. These barriers include inadequate translation and interpreting services, inconsistent English proficiency examinations, and insufficient legal training for staff. It highlights that LEP individuals—whether victims, defendants, or participants—frequently encounter delays, misunderstandings, and limited access to crucial legal counsel and rehabilitative programs. The report also offers professionals insights and resources to effectively address these challenges (The Bell Foundation, 2023).

The ability to communicate in a language has an immediate impact on legal outcomes. Those with LEP experiences are more likely to face adverse results due to inaccurate information or misrepresentations. The complexity of legal language, often filled with jargon and specialized terms, exacerbates these issues. Simplifying legal terminology and making legal documents more accessible could help alleviate some of these challenges. The use of plain English in legal filings has been advocated as a means to render legal proceedings clearer and more accessible, thereby enhancing equity for individuals with LEP.

Among those with limited English proficiency, there exists a fundamental and legitimate potential for fair processes facilitated by legal mediators. However, in the absence of such interpreters, violations of due process may occur during criminal proceedings. Concurrently, courts are obligated to ensure that LEP respondents can comprehend judicial proceedings more effectively. Nonetheless, various factors, such as a lack of standard protocols and the quality of translation services, may hinder access to justice. To safeguard these basic rights, courts are mandated to provide qualified interpreters for non-native speakers in both civil and criminal cases (Lynn, J., Davis, W., Isaacson, S.A., 2017).

Non-English speakers frequently face significant barriers within legal environments. Without adequate interpretation services, individuals may struggle to understand court procedures, legal documents, and interactions with legal professionals. Shepard noted that this lack of understanding can lead to miscommunications, ill-informed legal decisions, and a diminished capacity to engage actively in one's defense or prosecution.

For instance, investigations have revealed that individuals who cannot comprehend English struggle merely with interpreting the words of court personnel, lawyers, and judges, underscoring the urgent need for trained interpreters in professional contexts (Shepard, R.T., 2024).

2.5 Role of English Language in Public Perception and Judicial Legitimacy

Inability to speak English in a court setting can cause mental anguish, dread, and feelings of powerlessness. Many non-English speakers are intimidated by the courtroom environment, which leads to insecurity and reluctance to assert their legal rights. This is particularly evident in cases involving women, migrants, and individuals of Indigenous origin, who may already experience systemic prejudice. Individuals with critical legal rights are sometimes unable to seek justice due to psychological distress. According to research, individuals who cannot articulate themselves clearly in a court setting are more likely to accept unfair settlements, plea agreements, or false allegations due to fear of protracted legal battles.

The use of English within Pakistan's judiciary significantly affects public perception and judicial credibility, given that Pakistan inherited a common law system from British colonial rule. English is the primary language used in court hearings, legal documents, and judicial rulings. However, this has created challenges for the vast majority of people, hindering access to rights, undermining public trust in the courts, and influencing perceptions of impartial judges. The research by Strother, L., & Glennon, C. (2020) indicates that the judicial proceedings presented to the public have a considerable impact on the legitimacy of the legal system.

According to their study, the public speeches of Supreme Court Justices, which include off-bench interactions, significantly influence public perception as well as the administrative legitimacy of the courts. Understanding the language fosters confidence and trust in legal matters, while utilizing the national language in the legal framework enhances comprehension of technical legal terminology, whereas reliance on English expressions creates challenges for non-native speakers, making it difficult for them to trust the judiciary.

The language employed by court authorities impacts the public's perception of objectivity. Studies have shown that when court rulings are communicated in a manner

aligned with the public's cognitive preferences, perceptions of impartiality increase. However, the complexities and exclusivity of legal English pose challenges for those lacking proficiency in the language, leading to feelings of bias and unreliability. This linguistic divide may cause non-English speakers to view the judiciary as an imperial entity distinct from the general populace (Mack, K., Roach, S., & Tutton, J., 2018). Additionally, public perceptions of judicial legitimacy are evaluated through various statistical methodologies, including surveys and experiments. The phrasing used in these evaluations can shape participants' interpretations and, consequently, the outcomes of the studies. Providing survey instruments that are linguistically accessible to a broad spectrum of individuals is essential for obtaining valid and balanced data regarding societal views.

Li, Y. (2016) has described the phenomenon of judicial populism, where courts deliver rulings that reflect public sentiments in an accessible and comprehensive manner. This practice enhances public perceptions of the legal system, simplifying the interpretation of highly complex issues. Nowadays, legal institutions need to strive for a proper balance between speakers of English and other languages to maintain the legitimacy of the legal system and facilitate access to justice effectively. However, forensic linguistics examines how language is utilized in legal contexts and its influence on the delivery of justice. Misinterpretations stemming from complex legal English may contribute to miscarriages of justice, particularly for non-native English speakers. The clarity of legal terminology is vital; however, when such language is inaccessible to a large portion of the population, it raises concerns about the justice and inclusiveness of the legal system.

Court processes are also depicted by the media in formal legal language, which is English. Such portrayals of legal matters shape public perception and views on legitimacy. The use of specialized legal vocabulary in media coverage of court proceedings can sometimes create confusion and misrepresentation among the general public, particularly for those with limited English proficiency. This gap may lead to diminished trust and confidence in judicial systems. Furthermore, while social media platforms democratize information sharing, they often lack the nuanced vocabulary necessary for accurate legal interpretation, complicating public perceptions (Jones, T., Kalbfeld, J. R., Hancock, R., & Clark, R., 2019).

2.6 Relevant Studies in Pakistan

The language of law is naturally complicated, and when combined with English, it makes it much more difficult for the general public to understand judicial rulings. The use of sophisticated legal English in court decisions and legal regulations undermines openness and perpetuates misunderstandings about judicial procedures. Many individuals fail to understand court rulings, resulting in a lack of trust in judicial outcomes. The media, which is sometimes entrusted with interpreting hearings, may oversimplify or misunderstand legal decisions, altering public perception. The disconnect between the legal system and ordinary people adds to legal marginalization since only individuals who speak English can effectively interact with the judiciary.

However, Rehman, T. (1996), argued that Pakistan's statutory framework is firmly based in British colonial traditions, with English serving as the dominant language of law. Even after independence in 1947, English remained the dominant legal language, notwithstanding Urdu being named the official language. While Article 251 of Pakistan's Constitution mandates the development of Urdu, English is still the dominant language in superior courts and legal discourse. This historical continuance has resulted in a system in which court processes are unintelligible to non-English speakers.

One of the most notable ways that English impacts judicial legitimacy in Pakistan is by limiting access to justice. Most Pakistanis speak Urdu or regional languages, including Punjabi, Sindhi, Pashto, and Balochi. Because most legal papers, decisions, and arguments are provided in English, those who do not speak English find it difficult to grasp legal procedures and their rights. Many litigants rely only on attorneys for speculation, increasing legal fees, and delaying justice. Witnesses and defendants who do not speak English may misread procedures, jeopardizing fair trial rights. Legal experts educated in English-based jurisprudence may find it difficult to adequately express legal principles in Urdu, hindering accessibility (Siddique, O. 2013).

The sole usage of English in higher courts gives the perception that the judiciary is isolated from the population. Many people believe that the court serves the privileged since English ability is connected with luxury and social standing. Non-English speakers may feel alienated and believe that the judicial system is skewed in favor of the educated elites. Judges and attorneys who primarily speak English may be viewed as more sympathetic to upper-class issues, weakening public faith in judicial

impartiality. The dependence on English legal texts and precedents restricts the potential of local adjudication to develop under Pakistan's cultural and socioeconomic realities.

Additionally, there has been continuous controversy about whether Pakistan should adopt Urdu as the predominant language of court procedures. In 2015, the Supreme Court ordered that Urdu be substituted for English as the official language of government institutions, including the court. However, adoption is delayed due to resistance from English-trained legal practitioners and the persistent dependence on English legal materials. The field of law is heavily invested in the English legal language, making a complete shift difficult. Urdu-language legal materials are scarce, including textbooks, legislation, and case law. Bilingual legal structures necessitate substantial investments in translation services and judicial training.

In Pakistan, studies have been conducted that discuss the legal language and the challenges faced by non-native English speakers. Among them, Ahmad (2011) highlights issues arising in English language communication. The research focuses on the specialized English communication skills required in academic legal settings in Pakistan. It identifies gaps in students' ability to engage in discussions about law, make presentations, and ask questions due to inadequate English proficiency. To address these gaps, it suggests creating specialized English courses for legal education.

Another study examines how informal legal systems operate in rural Pakistan, often without the need for English. It emphasizes that the formal legal system's reliance on English obstructs underprivileged individuals from accessing justice, as many cannot comprehend processes in a non-native language (Shinwari, 2015). This suggests that English poses challenges for those who are uneducated and for those unfamiliar with legal terminology. In such instances, promoting the national language in all domains is essential to facilitate access for ordinary citizens.

Similarly, the UNDP conducted research examining legal awareness and individuals' access to justice in two provinces. It highlights limitations, including poor awareness of English-based legal systems and procedures, which hinder the effective administration of justice for non-English speakers (UNDP, 2023). The study indicates that the language of Pakistan's legal system needs to be transformed to one that is more accessible to the targeted audience and the majority of the population. Additionally, the

review from LEAP Pakistan investigates how the use of English in official legal support institutions creates difficulties for the impoverished. Many fail to obtain free legal assistance due to a lack of procedural understanding, which is exacerbated by English-dominated legal systems (LEAP Pakistan, 2021). This raises the question of why Urdu, as stated in Article 251, has not achieved the status of the official medium of communication for citizens.

The Pakistan Journal of Social Sciences published research that explores the relationship between linguistic barriers and legal diversity. It emphasizes that, while informal justice systems utilize local languages, English-dominated formal courts alienate a vast segment of the population, resulting in two systems of justice with unequal accessibility. Insaaf Network Pakistan researched the rate of free legal aid utilization across provinces. It links inadequate access to legal aid in part to language barriers, as the supremacy of English prevents impoverished litigants from effectively participating in legal proceedings. Several minor case studies in Pakistan demonstrate how the lack of English proficiency among litigants leads to a reliance on intermediaries (lawyers or court officials), increasing costs and diminishing direct involvement in judicial processes.

Such studies highlight the complications caused by the English language (not the national language), which has been forcefully imposed within this legal system. Pakistan's legal system has exacerbated economic disparities through the use of a foreign language. Another study explores how linguistic structures in Pakistan affect access to legal services, stressing the dominance of English in the judiciary as a top-down imposition. It underscores the challenges faced by non-elite Urdu speakers in navigating legal processes due to the absence of multilingual regulations that accommodate ethnolinguistic diversity (Ahmad, A., Iqbal, L., & Ullah, I., 2020).

The individuals affected by the use of English as the language of communication in the legal system are not limited to males; females also encounter barriers when seeking justice. Saleem, H. A. R., et al. (2022) present a study discussing the challenges faced by women in Pakistan regarding access to justice. These challenges extend beyond language to include insufficient legal understanding and cultural limitations. Women residing in rural areas often struggle to seek justice due to their lower comprehension of English compared to urban areas, where educated women understand the language. Such issues lead to discrimination within legal proceedings, particularly in the use of

terminology frequently presented in English. Women with limited education cannot assert their rights as effectively as their more educated, English-speaking counterparts. Throughout legal processes, less educated women often rely on interpreters, who may provide misinformation and sometimes exploit them.

To seek justice, women must be informed of their legal rights. Alongside these cultural restrictions, females confront patriarchal norms that discourage them from approaching the courts regarding their legal issues. Consequently, the judicial system remains inaccessible to them. Overall, both linguistic and socio-cultural obstacles hinder women from fully engaging in their legal matters, often resulting in inequality and prejudice in their access to justice. Ahmad et al. (2020) indicate that Pakistan is a multilingual country that has adopted English as the official language. Since the country was part of the British colony, this language has persisted in court procedures. The legal framework has failed to transfer the status of the official language from English to Urdu, rather than promoting local languages in the legal sphere.

However, this study aims to advocate for the inclusion of local languages in the legal domains of the country. Despite Urdu being the national language, its status remains undervalued. The reality is that Urdu is understood by nearly every citizen, while local languages are regarded merely as provincial languages, primarily utilized in local contexts. According to Shamim (2017), the portrayal of English as the language of development in all domains is inaccurate in Pakistan. Such narratives are often employed to persuade the underprivileged classes of our country to adopt the English language at an exorbitant cost. Consequently, English becomes a linguistic barrier for those with limited proficiency in it. This assertion about its role in development rings true in the sense that individuals proficient in this language obtain more opportunities across various domains, particularly within the legal system, in contrast to those lacking effective communication skills in English.

According to Amir (2008), a contemporary discourse is referred to as a globalizing discourse. Our current policy, alongside the post-colonial agenda, has declared English as the language of power, science, and technology, which has been perpetuated by such policies. This globalizing discourse reinforces and reflects the imperialistic status of the English language. For these reasons, it contradicts the policy of employing Urdu as the medium of instruction throughout Pakistan. Begum (2022) has shown that the national language plays a crucial role in fostering social stability, nurturing harmony across

diverse linguistic and racial backgrounds, and enhancing individuals' attitudes by creating a sense of brotherhood amongst communities.

It also reinforces ownership of the country's heritage, culture, and language, enabling a nation to establish its unique identity in the world. English has been regarded as a symbol of modernity and Westernization, which consequently elevates the status of its users in various aspects of life. Such perceptions have been formed based on the experiences of English users, leading to distinct identities depending on one's level of proficiency in the language.

According to Asadzadeh (2019), our communities and clients are progressing towards diversification, particularly those engaged with underprivileged groups who need to enhance their limited English proficiency to better serve these communities. Professionals must collaborate effectively with interpreters to construct strong cases and dismantle social, cultural, and linguistic barriers with clients. History demonstrates that rather than relying solely on government policies, the United States has functioned as a melting pot of cultures, continuously evolving. The legal community's objective is to ensure access to justice for our communities, regardless of their composition.

Similarly, research conducted within the American legal system argues that individuals with lower English proficiency encounter numerous challenges in the United States. They frequently experience low incomes and education levels, along with facing discrimination in employment, healthcare, and housing. Given this heightened vulnerability, the legal system bears a fundamental responsibility to guarantee that our justice system can assist those struggling with the English language. The studies mentioned above have illuminated various aspects of English language use within the judiciary of Pakistan. The national language genuinely embodies the culture, norms, traditions, ideologies, and philosophies of the nation. No nation can achieve complete success by disregarding its heritage language and relying exclusively on a foreign language.

2.7 Summary of the Chapter

In the literature review of this research, it has been concluded that bilingual or multilingual countries like Pakistan have struggled to provide access to justice for laypeople. This is largely due to the use of the English language in Pakistan's legal system. Like other former colonies, Pakistan continues to utilize a colonial language in

its legal framework. The prevalence of English has created barriers between educated and uneducated individuals who engage with this system for various reasons. No language is inferior; however, there needs to be clarity about which language should serve as the medium of communication for citizens to ensure equal opportunities for justice. Furthermore, understanding the legalese of the legal system is crucial for citizens, as they are unlikely to grasp it fully unless it is presented in their national language, rather than in a language that is difficult for them to comprehend. Legal language in English often contains complex vocabulary, which is not easily understood by the layperson. Urdu is the national language and is comprehensible to all citizens, despite their differences in economy, wealth, culture, region, and religion.

A breach of justice occurs when laypeople cannot access the legal system and legalese, when judges and practicing lawyers employ a language that is inaccessible to them in the legal framework. The researcher has identified a gap in existing studies that could not address language as linguistic capital in accessing justice within Pakistan's legal system. Either English or Urdu must be accepted as the linguistic capital for making an accessible legal language for the general population. This concept of linguistic capital pertains to the knowledge of language that any individual possesses. A person who speaks a language naturally and fluently has sufficient vocabulary and understanding ingrained in their mind. Every individual speaks their first language (L1) innately and does not require external instruction to learn it.

Thus, in the context of the Pakistani legal system, Urdu appears to be the language predominantly spoken by the population, as they possess the linguistic capital. Even in Pakistan, Urdu serves as a medium of communication or *lingua franca* among individuals with diverse local or native languages. Given that Pakistan is a multilingual nation, Urdu will always play a significant role in the nation's progress, having attained the status of the national language.

CHAPTER 3

RESEARCH METHODOLOGY

Every research methodology requires a systematic and scientific approach, employing accurate data collection and access methods to ensure the validity and credibility of the results, thereby facilitating the overall progress of the study. This approach allows researchers to articulate their choices effectively. Additionally, it diminishes inaccuracies and enhances objectivity by justifying the data evaluation's precision and impartiality. It also promotes impartiality in the study, resulting in research that appears to yield generalizable results. Furthermore, it ensures informed consent and the confidentiality of fair reporting, addressing these matters with the respondents, thus resolving any underlying issues in the research methodology.

Moreover, it expands the researcher's perspective on presenting the findings and documenting the subject matter of the study. Without a well-defined methodology, it becomes challenging for the researcher to substantiate the validity of the study's results. Consequently, a robust research technique is essential for conducting high-quality research that is both reliable and beneficial. This chapter concentrates on the research techniques and methodology, describing the process by which the research sample was developed, detailing the tools used for data collection, and outlining the methods involved in data processing. Furthermore, the legitimacy and reliability of the statistics regarding validity and dependability have been thoroughly addressed.

3.1 Research Design

The research design is next to problem identification, which leads towards data collection and analysis in the research. As stated by Blaikie (2019), the study's design is a persistent database that includes all the study alternatives and explains how they were chosen. The basic theoretical framework that supports data collection, analysis, and quantification. This technique incorporates all aspects of research, from hypothesis development and operational planning to data analysis. Conceptual frameworks are valuable due to their logical structure and effective use of assets and time. Furthermore, the study design guides the researcher by providing boundaries, constraints, and limits, allowing research operations to continue uninterrupted.

A questionnaire is an effective instrument in designing research because it enables rigorous data collection while assuring reliability and uniformity in responses. It is beneficial in both quantitative and qualitative studies, depending on how questions are organized. In the opinion of Bryman (2012), they enable scholars to swiftly and affordably gather vast amounts of data, and questionnaires are widely used in social science research. They assist in unifying replies, thereby rendering it easier to examine and compare data from diverse individuals.

Furthermore, questionnaires reduce bias among researchers by ensuring that all respondents are asked the same array of questions, decreasing the impact of the scholar's involvement. In addition, questionnaires can be sent in various ways, including online surveys, electronic mail, and in-person, thereby creating a versatile and accessible data collection tool. Nevertheless, a well-designed questionnaire enhances research by giving organized, dependable, and readily examined data.

The current investigation relied on a quantitative research approach to delve into how English and Urdu serve as forms of linguistic capital in Pakistan's judicial system and how these language preferences determine access to justice. A qualitative method was used because it facilitates an impartial examination of variables such as language competence, accessibility, legal understanding, and perspectives toward legal communication. The researcher utilized designed data collection techniques to record the views of respondents in a quantifiable and comparative format, making inferences based on noticed patterns among a diverse group of participants.

The study was centered on Pierre Bourdieu's theory of linguistic capital, which claims that language is an aspect of symbolic power that serves to reinforce social systems that already exist. In Pakistan, English is viewed as an elite language linked with dominance, instruction, and legal power; meanwhile, Urdu is the majority's common tongue. This theoretical lens determined the study's design by connecting the choice of significant variables such as language difficulties, courtroom intervention, legal awareness, and attitudes toward justice. The quantitative method was thus suitable because it offered the careful assessment and examination of these variables concerning the participants' language experiences and educational backgrounds. This data was employed to explore the linguistic challenges faced by laymen, litigants, and potentially lawyers at the District Courts in Pakistan's legal system.

Through incorporating a theory-driven paradigm with a concrete, statistical procedure, the study design developed an excellent foundation for evaluating how the choice of language in the legal system supported or marginalized citizens. Eventually, the design endorsed the study's central purpose: to investigate how much the continued adoption of English in legal settings favored only a selected class with linguistic capital, compared to Urdu, which was less legally dominant, possessed more potential to promote accessibility and equal rights in Pakistan's court systems.

3.2 Population

In the research, the population is significant because it shows the entire group or class of people, events or objects that share the same features or characteristics and is a part of the study. It is the main focus of the investigator's study, as the data was collected from the population. Selecting the population is important because it determines the limits and breadth of the study, thus allowing experts to draw relevant findings and make reliable judgments (Willie, M.M., 2024). A precise definition informs the choice of a representative sample and ensures that the results appropriately reflect the larger population. Even with this accuracy, research results may still be biased or not adaptable, which could undermine the study's credibility. Nonetheless, a well-defined population aids in selecting appropriate sampling techniques, data collection methods, and data sourcing. Thus, it provides valid and generalized outcomes.

This study's demographic information consisted of people who are engaged in legal communication and courtroom encounters inside Pakistan's legal system, specifically, lawyers and litigants in Rawalpindi district courts. This population had been selected based on its key relevance to the research question, which showed the association between language usage and accessibility to justice. Lawyers, as the primary facilitators of legal communication, exercise linguistic authority and play a substantial part in communicating and interpreting legal information. Litigants, on the contrary, represent people in general who are involved in the judicial system, usually without any particular legal or linguistic knowledge. Their inclusion became vital for comprehending how a language—whether English or Urdu—helped or impaired their aptitude to access justice.

Being chosen in this demographic directly corresponded to the theoretical foundations of Bourdieu's concept of linguistic capital, which argues that language

serves as an expression of symbolic power and privilege within society. Within the legal structure, individuals who understand the primary language of the courts—English—are typically in posts of greater autonomy and power. People who do not speak English proficiently may be persistently marginalized, incapable of properly understanding judicial processes, affirming their rights, or effectively taking part in their legal concerns. The research population provided the study to objectively evaluate these disparities with respect to real-life experiences.

The population of Rawalpindi district courts had also been meticulously selected for its diversity across all categories of age, gender, education, socioeconomic standing, and urban/rural status. This diversity strengthened the study's potential to investigate how linguistic capital circulated differentially across socioeconomic groups. These variations allowed us to find out the complex ways in which language connects with demographic factors to figure out legal access and accountability. More importantly, focusing on Rawalpindi enabled data gathering convenience as well as allowed the researcher to interact with an authentic legal environment that corresponded to larger national linguistic patterns.

The population considered for this study was exceptionally appropriate and pertinent for focusing on the primary research topics. It facilitated a comprehensive, statistically grounded investigation into how English and Urdu served as conflicting linguistic capitals in the legal field, as well as how the use of languages in legal proceedings influenced larger patterns of discrimination and inclusion in Pakistan's law enforcement system.

3.3 Sample

A sample is a portion of the total population used to provide insights into the whole population. For the study, examining the entire population seems infeasible due to limitations related to time, budget constraints, inconvenience, and inaccessibility. Such factors hinder the production of solid findings and relevant conclusions. Creswell (2014) highlights the importance of selecting the right sample to ensure the validity of research findings. He also notes that the investigator must select a sample carefully to eliminate biases in the target population. For any study, the sample signifies a relevant contribution to promoting efficiency, reliability, and practicality.

Sampling should always be relevant and efficient for the study. In the present study, the selection of the sample was highly significant because of its nature of diversity and association with the research's objectives. The sample included respondents from various socio-demographic levels, for instance, gender, age, location and daily income. The sample indicated different experiences and thoughts of participants interacting with the legal system of Pakistan. More importantly, including both genders, male and female, as well as youngsters and old people, assured the outcomes of the research. Such a sample was a representative of the population influenced by the linguistic policies of the judiciary as well as other institutions of Pakistan.

The participants were from the district courts of Rawalpindi who were in contact with the courts. District courts are the first place to visit for participants seeking legal assistance, establishing a crucial platform for the understanding of legal language in access to justice. The significance of the sample size showed reinforcement when it aligned with the objectives of the study, which examined language as linguistic capital and its influence in accessing justice. The approach used in the selection of the sample showed credibility of results, which showed a contribution to the inclusion of the Urdu language.

3.3.1 Sampling Technique

Choosing the appropriate sampling technique enhances the research's efficiency and predictability in yielding substantial results, even when approaching the entire population. By employing suitable sampling techniques, investigators can ensure their samples accurately reflect the broader community, thereby enhancing the validity, universality, and adaptability of their findings, as noted by Wang (2024).

According to Sekaran and Bougie (2016), strategies of probability sampling (such as simple random sampling and stratified sampling) enhance the generalizing ability of findings by providing every participant in the population with a fair chance of selection. Non-probability sampling approaches (for instance, convenience and purposive sampling) are advantageous when investigators seek focused information or are examining specific populations. In this study, a probability sampling method was applied to obtain relevant and unbiased information. The research population, which was composed of litigants and lawyers from the District Courts of Rawalpindi, Pakistan, had an extensive variety of demographic variables. Considering this diversity, probability sampling appeared to be the most effective approach because it gave each

person in the community an equal opportunity of being chosen, ensured the versatility and credibility of the research outcomes.

In order to enhance the sample technique and cope with demographic intricacy, the study implemented stratified sampling. This technique involved categorizing the population into multiple strata or subgroups depending on present factors associated with the research, such as gender, age, residence and income level of lawyers and litigants. When doing so, the sample technique assured that each subgroup was appropriately represented, aiding more precise analyses as well as substantial findings on how different components of the legal community viewed and interacted with the usage of English and Urdu in legal environments.

This anticipated classification helped record various linguistic perspectives within the legal field, which was fundamental to the study's emphasis on language as a kind of linguistic capital deciding access to justice. The application of stratified sampling refined the research's internal consistency while simultaneously encouraging equitable and representative data gathering, specifically in a judicial system, wherein linguistic preferences and challenges were determined by overlapping social groups.

3.3.2 Participants

Participants form the foundation of each research project, as they provide the vital information that drives advancements in science and knowledge. Without their involvement, investigators would lack the experimental evidence necessary to test hypotheses, verify theories, and develop real-world applications. According to the journal *Evidation* (2022), research respondents are an incredibly significant component of research—without participants, innovations in medicine cannot take place.

For this study, the researcher selected 100 participants randomly from among laymen, litigants, defendants, and lawyers from the District Courts of Rawalpindi. The selection of these participants showed validity and depth of findings. These participants showed diversity of perspectives linked with understanding of legal language, either English or Urdu, and their impacts on access to justice in the legal system of Pakistan. The selection also improved the validity of statistics gathered for the present study. It provided enough data for better examination by using techniques, i.e., t-test and ANOVA in SPSS.

This indicated that obtaining patterns and results brought through SPSS was systematic and not by chance. If the researcher increased participants above 100, then it would have demanded more time resources and applicability of other factors, such as searching for a large sample size, which could enhance accuracy but deviated from the given time frame for this research. Therefore, such participants were feasible to handle within the given time limit and were sufficient in bringing the required results for the study.

3.3.3 Profile of Sample

The participants were further stratified based on gender, age, location, and income. Among these participants (sample size), there were 50 lawyers and 50 litigants. In terms of gender, the researcher included 25 females and 25 males from the 50 lawyers and the same from the 50 litigants. The age category consisted of a single group, specifically those from 19 to 60 and more than 60 years. The location or residence category was divided into two groups: rural and urban areas. The income categories were further divided into three groups: those earned less than ten dollars (the poor class), between ten and twenty dollars (the middle class), and more than twenty dollars (the rich or elite class) per day. In this manner, the sample was deliberately limited and categorized to obtain accurate, authentic, and relevant data.

3.3.4 Instruments

According to Kothari (2004), questionnaires are valuable as they provide organized data, eliminate biases among researchers, and facilitate evaluation. They are particularly advantageous when working with large populations, as they make data collection more economical and practical. A questionnaire holds particular significance as it can establish responses, ensuring consistency and reliability in the results of studies. Dillman, Smyth, and Christian (2014) emphasize that well-constructed questionnaires enhance answer reliability by minimizing uncertainty and offering clear guidance.

A structured questionnaire was developed as the primary tool for investigation. The choice of a questionnaire as an instrument for data collection depended on its ability to quickly extract consistent information from a large sample, thereby enabling the reliability and comparability of respondent answers. To attain internal consistency and cohesiveness, the questionnaire was developed according to recognized closed-ended

question design guidelines. The items were arranged rationally into subject areas that correlated with the study's aims (e.g., the use of language, legal comprehension, observed obstacles). The questionnaire was carefully assessed to ascertain that there were no discrepancies or redundancies between the items. Meanwhile, credibility was strengthened by linguistic consistency, concise directions, and comparable response patterns (e.g., Likert scale), which minimized the risk of varying construction by various individuals who responded.

Regarding content validity, the questionnaire items were designed after an extensive review of the relevant literature, including Bourdieu's theory of linguistic capital. This verified that all items complemented the fundamental principles under examination. Academic experts and legal professionals analyzed the questionnaire for both its content and its validity, expressing insight on the items' efficiency, relevance, and applicability in the Pakistani legal and linguistic framework. The transparency of structure, as well as its compatibility with both the theoretical and the practical attributes of the research topic, reinforce the validity and reliability of the data in this study. Hence, given the study's primary focus on the influence of language, particularly English and Urdu, on legal correspondence and access to justice, a structured questionnaire facilitated a systematic investigation of the opinions, observations, and choices of both legal personnel and litigants in Pakistan.

The questionnaire comprised 13 closed-ended questions that were meticulously crafted to gather both demographic information and subject matter regarding language comprehension, availability, preference, and reported challenges in the legal field. The researcher utilized this questionnaire as a tool adapted from the work of Ahmed (2020), expanding and modifying the questions to elicit relevant responses to the research questions. The closed-ended format was specifically designed to stimulate quantitative feedback, maximize respondent understanding, reduce uncertainty, and improve data processing. These characteristics were even more crucial when individuals possessed diverse educational and linguistic backgrounds, as is the case in the present investigation.

A total of 100 individuals were selected from Rawalpindi's District Courts, comprising 50 lawyers and 50 litigants. Equal representation for men and women was achieved with 50 male and 50 female participants. This stratified division ensured a variety of perspectives and facilitated an evaluation of gender-based perceptions

regarding access to judicial processes in English and Urdu. The involvement of both lawyers and litigants was essential in analyzing differing perspectives on language used in legal communication: one from legal service providers and the other from those seeking such assistance. This parallel sampling strategy enriched the data by gathering information from both sides of the justice administration system, supporting the study's findings on language-based access discrimination.

The questionnaire was designed to maintain conciseness, impartiality, and specificity while minimizing distracting or ambiguous questions. Each question was effectively aligned with the study's objectives, targeting critical themes such as:

- Preferred legal vocabulary.
- Levels of understanding in proceedings.
- Expected justice or discrimination due to language.
- The effects of English or Urdu on understanding one's legal rights and responsibilities.

The instrument's accessibility was subsequently verified through a preliminary assessment process that evaluates the questions for linguistic clarity, considering participants' varying levels of education. Furthermore, the questions were framed in a linguistically neutral tone, avoiding technical legal jargon to enhance comprehension among non-expert participants. The investigator provided a translated version of the questionnaire in Urdu to simplify the language of the instrument and make it more comprehensible for those who were uneducated and unable to understand a foreign language (English).

In summary, the questionnaire played a crucial role in the present study. It offered an organized and quantitative approach for gathering relevant information on how language functioned as a form of linguistic capital within the legal framework and how it influenced access to justice in Pakistan. The research with this instrument aimed to identify linguistic inequalities that might hinder justice delivery and presented evidence-based policy recommendations for improvements in legal communication processes.

3.4 Theoretical Framework

There are numerous theories related to the concept of linguistic capital, but Pierre Bourdieu's theory in *Language and Power* (1984-1986) is particularly relevant to the

present study. The researcher employed this theory, adopted from the field of sociolinguistics, to gather the necessary data for the study. The aim was to identify the role of language as a linguistic resource in accessing justice, particularly in the study of English and Urdu within the Pakistani legal system. Therefore, this theory effectively discussed the concept of linguistic capital to support such research.

3.4.1 Pierre Bourdieu's Theory of Linguistic Capital in the Domain of Sociolinguistics

The French sociologist Pierre Bourdieu developed the idea of linguistic capital as a component of his larger notions of symbolic power and cultural capital. Linguistic capital, as defined in sociolinguistics, is the intrinsic value that a certain language or variation has within a social system, impacting the rights of individuals to economic possibilities, status, and power (Bourdieu, 1991). He continued to say that proficiency in foreign languages includes conversation, vocabulary, syntax, speech norms, and customs. Furthermore, his study showed the way language serves as both a conversational tool and a means of maintaining and sustaining social inequality.

3.4.2 Linguistic Capital in the Structure of Language

Like economic or cultural capital, language is a form of capital that people accumulate and use to interact with social systems, according to Bourdieu (1991). He defined linguistic capital as the ability to speak a chosen dialect or speech that improves interpersonal, political, and financial relationships. Similar to resources that provide observable benefits, linguistic proficiency in widely used or predominant languages opens doors to further education, employment, and social acceptability. This viewpoint challenged the idea that all languages are equally important by demonstrating the intimate relationship between language and societal authority.

For example, the supremacy of one language—typically the language of the colonial rulers or the ruling class—causes inequalities in multilingual communities. While speakers of suppressed languages experience marginalization or prejudice, proficient speakers of that language have greater opportunities for resources. Users of regional languages like Sindhi, Pashto, or Balochi may face linguistic prejudice in Pakistan's legal system, since Urdu and English are the prevalent spoken languages and offer more legal and practical chances to those who are skilled in them.

3.4.3 Bourdieu's Linguistic Market and Symbolic Power

The idea of the linguistic market, in which several languages and dialects vie for social worth and authority, was first proposed by Bourdieu (1991). He described that there is an ordered system of languages in every civilization, with particular linguistic forms having more symbolic meaning than others. A language's validity is socially produced via institutional and political processes rather than being innate.

For instance, due to their connections to international economic systems, education, and governance, earlier colonial languages, including English and French, still hold sway in the post-colonial cultures. According to Bourdieu (1991), policies that favor one language above another in official discourse, education, and the law are frequently ways that the state legitimizes particular linguistic usages. This leads to the development of a linguistic habitus, in which people unwittingly absorb the idea that proficiency in one particular language is essential for reputation and accomplishment.

3.4.4 Social Mobility and Linguistic Capital

According to Bourdieu's argument, social mobility and language capital are related. The person's prospects of social progress increase with their level of acquisition of the ruling class's language standards (Heller, 2010). This is seen in educational institutions when kids from linguistically excluded populations do worse than those from wealthy families, who enjoy exposure to the prevailing language at home. People who can present points of view in Recommended Urdu or English are given greater weight in the court system than those who use non-standard dialects.

Organizations frequently give preference to applicants who are proficient in the main language in the workplace. Thus, language capital reinforces already-existing class divisions by translating into social and economic benefits. Lack of language capital can lead to rejection from top entities, reduced pay, or prejudice (Grenfell, 2011).

3.4.5 Linguistic Domination and Symbolic Violence

Additionally, the idea of symbolic violence—which is the enforcement of powerful linguistic standards on oppressed groups, causing them to diminish their languages and linguistic identities—was proposed by Bourdieu (1991). When users of insignificant languages experience the temptation to switch from their original vernacular to more socially "acceptable" ones, this happens. The widespread use of English, which frequently causes language impairment and consolidation into smaller linguistic

networks, is a prime example. Linguistic vulnerability occurs when individuals of minority or native tongues are compelled to switch to the prevailing language to obtain work or education, which causes their original language and culture to gradually disappear (Blommaert, 2005).

The effect is evident in Pakistan, where the desire for English-medium education strengthens class disparities because only the elite have the benefit of outstanding English education, leaving the majority at a language disadvantage. Fluency in English is seen as a sign of competence and social status, while local languages are seen as less distinguished.

3.4.6 Bourdieu's Theory's Effects on Justice and Language Policy

The ideas of Bourdieu have important ramifications for legal access, education, and linguistic policy. According to his view, acknowledging and validating several linguistic forms is the sole means to overcome linguistic imbalance instead of giving preference to a single hegemonic language. Interpreting legal documents into numerous languages and permitting court hearings in local dialects to serve non-elite individuals are necessary in judicial systems to ensure accessibility to justice (Spolsky, 2004).

Everybody in Pakistan faces obstacles due to the prevalence of English and its legal jargon. By adopting simpler and commonly understood language, linguistic modifications should aim to make legal procedures more accessible while preventing linguistic capital from becoming a tool of exclusion, according to Bourdieu's theory.

3.4.7 Summary of Bourdieu's Theory of Linguistic Capital

According to Bourdieu's theory of linguistic capital, language shapes social advancement, power relations, and institutional connections. He also explained how language functions within the framework of capital and why certain language groups received more privileges compared to those that remained marginalized. The dominance of languages is consistently supported by socio-economic and critical frameworks, while speakers of other languages often experience metaphorical abuse due to the use of the dominant languages. This linguistic diversity contributes to social injustice in legal, educational, and other workplaces.

3.4.8 Relevance of Bourdieu's Theory to the Current Study

The theory of Pierre Bourdieu determined the objectives of the study and presented a foregrounded theoretical lens through which the researcher examined how language

served as a medium of social privilege and power. It aided in analyzing linguistic inequality and its influence on access to justice and legal communication within the judicial system. According to Bourdieu, linguistic capital is a form of social power and symbolic capital. This linguistic power embodies certain absolute values within social fields, such as law and the legal system. The theory assisted in determining the legitimacy of institutions, as well as their societal and authoritative recognition. English, as a post-colonial language, possesses power and prestige, granting attributes of symbolic and social power to its proficient users, unlike those who do not comprehend it.

Here, the study explored the roles of English and Urdu in Pakistan's judicial system, coinciding with Bourdieu's theoretical framework by investigating the linguistic supremacy of English over Urdu and its role as a linguistic code in legal domains. The theory also aligned with the researcher's aims in analyzing the inaccessible nature of English for a significant portion of the population in Pakistan. Through the prism of linguistic capital, English in Pakistan's legal forum emerged not merely as a channel of communication but also as a mechanism of surveillance that benefited the educated elite while excluding those who lacked competence in the language. The present research elucidated how the use of English perpetuated social injustices by restricting access to justice for Urdu-speaking litigants. The concept of Bourdieu's legitimate language—the variant recognized by institutions and deemed authoritative—was particularly significant here, as English continued to function as the legitimate language in Pakistan's courts, even though it was not the native tongue of the majority.

Consequently, legal proceedings conducted in English may result in misconceptions, failures, and disengagement for individuals unfamiliar with the language, leading to a symbolic language aristocracy that reflected greater social inequality. Moreover, the study highlighted how endorsing Urdu as a functional language in legal contexts could shift linguistic capital in favor of the general public, thereby enhancing legal comprehension and democratic justice. Bourdieu's theory posited that the struggle over language ultimately concerned symbolic power. In this context, employing Urdu transcended a mere language choice; it might also serve as a symbol of empowerment for historically marginalized groups. This study situated language policy and legal discourse within broader contexts of power, legitimacy, and access by presenting the research topic through the framework of linguistic capital theory.

3.5 Levels of Data Collection and Analysis

Ensuring reliability and precision is a major justification for following the data gathering standards. Investigators can obtain details that accurately reflect the factors under study by using appropriate data gathering techniques. Babbie (2020) emphasizes that research needs to quantify what it promises to assess, which is why authenticity is crucial for accurate conclusions. If data are not collected systematically, outcomes might be misleading and not generalizable to a larger population. By adhering to set standards, the data is guaranteed to be reliable, enabling precise analyses and significant knowledge additions.

The collection of first-hand information was a labor-intensive and challenging undertaking that took approximately a month to complete. Before beginning this endeavor, full compliance with existing standards was maintained, including ethical concerns, clearance processes, methodological expediency and brevity, and individuals' agreement for the collection of data. Access to the District Courts of Rawalpindi was hindered by safety concerns, complicating the process further. Following the planned approach, the data-gathering procedure took place during a single period that coincided with the scholar's expeditions.

In any country, the judicial system, including the courts, is significant as it maintains sensitive public records along with records of individuals, ranging from the impoverished to the notorious. The general public must visit the courts for matters that vary from simple to complex. In such cases, it was not readily feasible for the researcher to visit the courts for data collection without the approval of the relevant authorities.

The researcher discussed the study's purpose with the General Secretary of the District Bar Association to gain consent for approaching participants within the court's jurisdiction. Meanwhile, while monitoring the variables, the scholar approached both male and female respondents. To ensure the smooth conduct of data collection through the questionnaire, a thorough planning period involved informing the respondents about the research, providing them with relevant information, and cultivating a positive relationship. This showed that the data collection was conducted in the natural setting of the courts. Language barriers also presented challenges for the researcher in communicating with participants, particularly those who spoke different languages and did not comprehend either written English or Urdu.

3.5.1 Procedure of Data Collection

The researcher-initiated data collection through the formation of the study tool. The consent form was duly signed by the authorized body for data collection and the execution of the research tool. Subsequently, the questionnaires were distributed in the territory of the District Courts. The respondents were informed about the research rationale and significance. Data was collected through a closed-ended questionnaire to obtain unbiased and objective data.

3.5.2 Questionnaire

A questionnaire was meticulously created to make sure it fits the objectives of the study. It contained demographic inquiries as well as portions designed specifically for litigants, attorneys, and laypeople. A methodical and moral strategy was used to gather information from litigants, attorneys, and laypeople at the Rawalpindi District Courts. The procedure preserved the accuracy and dependability of data collection while guaranteeing adherence to institutional and regulatory requirements. Getting the General Secretary of the District Bar Association, Rawalpindi, and other pertinent authorities' approval and assent was the initial step. The study's goals, importance, methods, and ethical issues were outlined in a formal request. A formal letter of authorization from the court management was obtained upon endorsement, allowing access to carry out the study on the court's grounds.

A stratified sampling technique was used to choose participants, guaranteeing variety in terms of age, gender, and daily income etc. The researcher delivered the questionnaires to appropriate individuals by going to lawyers' offices, court waiting rooms, and legal assistance agencies. To guarantee thorough data collection, efforts were made to involve people with varying legal expertise. The researcher visited the courts during operating hours to give a quick overview of the questionnaire's purpose during the dissemination phase. Participants' information was collected, keeping their rights and privacy maintained, and ensuring that participation was by choice. Respondents were able to affirm their desire to participate in the study by signing a formal declaration of consent that is appended.

The completed questionnaires were either picked up right away. This approach guaranteed privacy and promoted truthful answers. To safeguard the identity of participants, the data gathered was anonymized. In the course of the procedure, ethical

standards were upheld, including respect for institutional investigation rules. The final study report mentions the court officials' participation. An informed and trustworthy research was produced by this systematic approach, which guaranteed that the data gathering process stayed morally upright, effective, and technically sound. Personal data is not gathered unless it is specifically needed and approved.

3.5.3 Validity and Reliability of the Questionnaire

Guaranteeing the precision and legality of this study calls for ensuring the validity and reliability of the research instrument. The objective of the survey was to assess public opinions, views, and experiences about the use of English and Urdu in Pakistan's legal system in addition to the degree to which language serves as a linguistic tool when seeking justice. In order to verify that the instrument accurately reflected the intended components while yielding reliable results, a number of tests were used.

- **Validity of Content**

A comprehensive examination of the body of research on language policies, linguistic injustice, legal discourse, and access to justice in Pakistan was used to validate authenticity of content. The design of the questionnaire items was guided by academic publications and earlier research resources. The questionnaire had been reviewed by two linguistics specialists and a licensed attorney who was acquainted with the legal framework of Pakistan with the objective to increase content validity. These professional contributions made sure that the contents were relatable, appropriate, and reflective of problems with accessibility to justice and obstacles to communication. The questions had been modified as needed to refine the content and make sure they complemented the primary objectives of the study.

- **Construct Validity**

The research questionnaire was anchored in existing theoretical frameworks, especially Bourdieu's notion of linguistic capital, that recognizes language as an indicator of social advantage and prestige, with the objective toward construct validity. The purpose of the questionnaire statements was to determine opinions concerning the position of Urdu and English in legal interactions, judicial understanding, and legal access to justice. The instrument accurately gauged the anticipated constructs, as verified by the alignment between the theoretical structure and responses to the questionnaire.

- Face Validity

Before the questionnaire had been made available widely, it was informally circulated to a small number of participants in order to ensure face validity. The attendees included both educated people in the general population and law pupils. Their comments testified to the questions' accessibility, contextual relevance, and suitability to Pakistan's legal-linguistic setting. A couple of small modifications were made to improve comprehension and streamline the language for an extensive number of participants.

- Validity of Procedures

By complying to standardized handling procedures, managerial validity was protected. Similar directions were given to each respondent, and anonymity was promised to foster genuine responses. Specific Likert-scale questions have been integrated into the questionnaire layout to mitigate response bias and inconsistency. In order to avoid human error and ensure transparency, data was processed cautiously and participant responses were evaluated using SPSS.

3.6 Data Analysis

The specific analytical framework was utilized in the assessment of the collected data. This assessment was conducted systematically and in chronological order, reflecting how the responses were gathered. A systematic analytical procedure was employed to ensure accuracy, reliability, and appropriate application of the results following the collection of data from litigants, solicitors, and laypersons in the District Courts of Rawalpindi. Based on its quantitative (numerical) nature, the material was initially processed and organized before undergoing proper statistical and thematic analysis. Data management and cleansing constitute the initial steps in the data analysis. This involved examining the collected data for inconsistencies, redundancies, or incomplete responses. To ensure that the dataset was accurate and comprehensive, any errors or missing information were rectified.

Statistical techniques were applied to analyze numerical responses to evaluate quantitative data. Data management software was utilized, with inputs evaluated using SPSS (Statistical Package for the Social Sciences) version 21. Digitalized data was ensured to be formatted correctly for further examination. The five-point Likert scale was employed to obtain data in a tabulated form regarding age, income, gender,

location, etc. Given the quantitative nature of the data, it was further analyzed using statistical tests, namely the t-test and ANOVA (Analysis of Variance). These tests highlighted whether there were distinct differences between three or more independent groups in the study. This helped illustrate the results of the study (language as a linguistic capital in access to justice).

3.7 Ethical Considerations

In the study, ethical considerations were essential for the credibility of social activities. The researcher diligently adhered to recognized standards of conduct in the field of social science to protect the respect, entitlements, rights, and satisfaction of everyone involved. First and foremost, all participants were given informed consent before data collection. Every participant, whether a lawyer or a litigant, was explicitly informed of the study's objectives, the subject matter of the questionnaire, and their freedom to participate voluntarily or withdraw at any time without repercussions. None of the participants were compelled or deceived at any point during the study.

Additionally, the study ensured complete confidentiality and anonymity. Participants' identities were not recorded or disclosed, and all responses were used solely for educational purposes. All data was encrypted and diligently safeguarded to prevent unauthorized access. This was particularly vital given the sensitive nature of the legal context and each individual's personal or professional involvement in ongoing judicial proceedings. Moreover, the study confirmed that participants experienced no emotional, social, or personal repercussions as a result of their involvement. Questions that could cause discomfort or distress had been omitted, particularly concerning complainants who might already be troubled by their legal issues. A gender balance was also maintained (50 male and 50 female respondents) to ensure fair representation and avoid gender bias in the data analysis.

Similarly, ethnic and linguistic sensitivity were significant ethical considerations. The questionnaire was designed to be straightforward, considerate, and free from inappropriate or discriminatory language. It acknowledged the participants' diverse linguistic backgrounds and ensured language was used in an unbiased and accessible manner, aligned with the study's primary aim of linguistic justice. Ultimately, the study observed ethical research principles established by academic institutions and governing bodies, such as the guidelines laid out by the Pakistan Higher Education Commission (HEC) for research involving human subjects.

Therefore, ethical conduct was strictly adhered to during the research phase to protect participants, uphold the reliability of the research, and contribute meaningfully to the broader discussion on language, law, and justice in Pakistan.

3.7.1 Voluntary Informed Consent

During data collection, strict adherence to informed consent was a fundamental requirement of the study. Therefore, effective communication with respondents through appropriate channels was essential. The researcher had verified each respondent's expression of consent to participate in the study. Importantly, under ethical standards, those who declined to participate were not subjected to any form of coercion; rather, their right to refuse collaboration was respected, and they were excluded from the research voluntarily.

3.7.2 Developing Rapport

The act of establishing a positive and trustworthy relationship between researchers and participants was referred to as developing rapport in a study. Building rapport is crucial for ensuring sincere and honest communication, thereby enhancing the quality and reliability of data collection. By fostering a relaxed environment where participants feel respected and willing to provide candid and thoughtful responses, the reliability of study findings is ultimately improved (Dwyer & Buckle, 2009). In developing rapport with respondents, the researcher needed to execute the methods used in data collection.

3.7.3 Explanation of the Process to the Participants

Describing the study to respondents included obtaining informed consent. Before participants expressed their consent to engage in the study, explaining the process ensured they understood the significance of the study. Informed consent helped individuals feel less insecure and uncertain about the study. Collecting information fostered trust and confidence between the researcher and participants. A well-structured explanation of the employed strategies was mandatory for each respondent. Furthermore, respondents were briefed on the format of the questionnaire, the background of the study, and the data collection process.

3.7.4 Right of Withdrawal

It is a fundamental principle that participants in the study have the right to withdraw at any time without facing any adverse consequences. Creswell and Poth (2018) link this right to informed consent, allowing participants to exercise their option to withdraw

from the research. Although participants agreed to take part in the study, they retained the freedom to withdraw whenever they wished, thereby affirming their legal right to do so.

3.7.5 Privacy

To protect participants from any potential risks, the investigator adhered to detailed procedures regarding data recording, confidentiality, and controlled access to the study (Patton, 2002). By respecting privacy, researcher uphold ethical principles, foster genuine involvement, and ensure that the study honors individuals' rights and integrity. However, in this study, all data were treated with confidentiality.

3.7.6 Authorship

The references section suitably acknowledged and cited the researcher's significant and distinctive contributions. Providing recognition was a crucial ethical and professional aspect of educational and scientific pursuits.

3.8 Chapter Summary

This chapter diligently outlined a comprehensive explanation of the study's procedures and methodology. The description of the research strategies and methods, supported by relevant sources, gained considerable attention. Additionally, the tools used for studying, as well as the processes of data collection and analysis, had been developed following fundamental concepts and principles. Overall, this chapter presented a thorough and balanced account of the methodological foundations of the research, offered an in-depth and clear explanation of the methods and techniques employed in the present study.

For this study, the District Courts of Rawalpindi had been selected as the field for data collection. Moreover, only litigants, lawyers, and laypersons were considered as participants in the research, while judges and administrative staff were excluded. The entire procedure related to the study and the development of the study tools encompassed the validity and generalizability of the study's outcomes, which were addressed in this section.

CHAPTER 4

DATA ANALYSIS

4.1 Introduction

This chapter presented the collected data after a detailed examination using research techniques. The researcher employed a quantitative technique to analyze and discuss the findings. Adhering to the chosen approach, the data was processed in the software to get effective and accurate results. The discussion was based on the structure of data analysis, besides the questionnaires' prompts. This analysis discussed the influence of English or Urdu on access to justice in the legal system of Pakistan, which was the subject of the study.

4.2 Structure of Data Analysis

In this study, the tool was partially adopted from the work of Ahmed (2020), and the data were collected through a questionnaire comprising closed-ended questions. The gathered data were further analyzed using the statistical software SPSS version 21. A Five-Point Likert Scale was used to get responses to the items asked in the questionnaire, and it showed the mean and standard deviations of the frequencies. Tabulated data had been evaluated, including the age, gender, income, and location/residence of the respondents, along with a report on linguistic barriers in the legal system of Pakistan, studied under the theory of Pierre Bourdieu, i.e., Linguistic Capital.

4.3 Analysis of the Demographic Information of the Participants

In this research, the demographic information of the participants included gender, age, location, and daily income. This showed the validity and credibility of the research. They presented insights into how such segments of the participants looked at the role of language and its influence in the legal system of Pakistan. The information emphasized generation gaps in the understanding of legal language such as both youngsters and older respondents supported Urdu as an appropriate language used as a legal language other than English. Hence, such shared notions across these age groups supported the need for legal reforms.

Moreover, the equal representation of gender in the present study covered diversified experiences captured from both male and female respondents who expressed their linguistic challenges and barriers. The factor of daily income added in the demographic information for the reason that the respondents from lower income groups to the higher income group had collectively shown more inclination towards the use of the national language, because most of the respondents, either from any income group, faced legal issues with the use of English language. Findings taken from socio-economic factors emphasized linguistic inclusivity, which ensured the need for equitable access to legal rights.

Finally, the residence variable had been included in the present study, which presented geographical division in accessing legal aid in every domain of the legal system. Therefore, the researcher found it important to discuss the significance of demographic information in this chapter. Such insights are as follows.

4.3.1 Gender

In the questionnaire, the gender (a variable) of the participants was asked to stratify the information. Since the research was carried out by stratified sampling. This gender stratum showed the following recorded data.

Figure 1

Gender

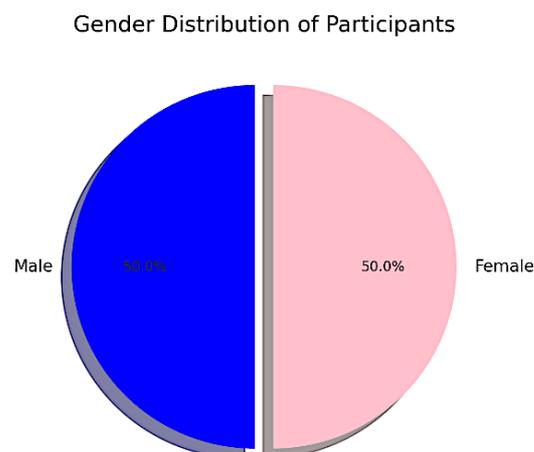


Table 1*Gender*

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Male	50	50.0	50.0	50.0
female	50	50.0	50.0	100.0
Total	100	100.0	100.0	

Analysis

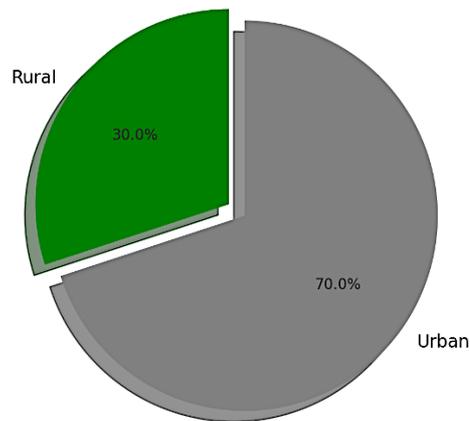
The comparable proportion of males and females in the data was shown in this sample pie chart. The equally split slices made it evident that each gender made up 50% of the overall respondents. To evaluate the percentages of male and female participants in the tabulated set of data, a statistical analysis of the gender variable was carried out using SPSS software. There were 100 participants in the sample, 50 of whom were men and 50 of whom were women. Achieving objective and thorough study findings required that the opinions of both genders be equally reflected in the examination, which was ensured by this symmetrical allocation. A complete equal distribution was confirmed by the frequency evaluation, which showed that 50% of the responders were men and 50% were women. The data was inclusive and reliable for additional analysis because there were no missing values.

4.3.2 Residence

This variable consists of two divisions, i.e., rural and urban. People who visited the judicial system belonged to both locations.

Figure 2*Residence*

Residence Distribution of Participants

**Table 2***Residence*

	Frequency	Percent	Valid Percent	Cumulative Percent
Rural	30	30.0	30.0	30.0
Urban	70	70.0	70.0	100.0
Total	100	100.0	100.0	

Analysis

The variation in distribution might be shown graphically as a pie chart, which somewhat accurately depicted the percentage of respondents who lived in rural and urban areas. It was readily apparent from the chart that a greater portion of the sample was urbanized, which might affect conclusions when considering legal language expertise, access to justice, or other social factors considered in the study. A qualitative study of the residency variable was carried out using SPSS to evaluate the geographic

distribution of participants according to their dwelling areas—rural and urban. Of the 100 respondents in the sample, 70% were from cities and 30% belonged to rural regions. This pattern of distribution drew attention to the dataset's urban predominance, which might be a reflection of the research participants' mobility or the general demographic trajectory.

According to the frequency analysis, 70 participants came from metropolitan areas, whereas 30 participants reported they lived in a rural area. Moreover, the data showed no missing values, guaranteeing the dataset's completeness and predictability for additional statistical evaluation.

4.3.3 Age

In this study, the age stratum ranged from lower to higher extremes. This showed the diversity of participants within the group.

Figure 3

Age

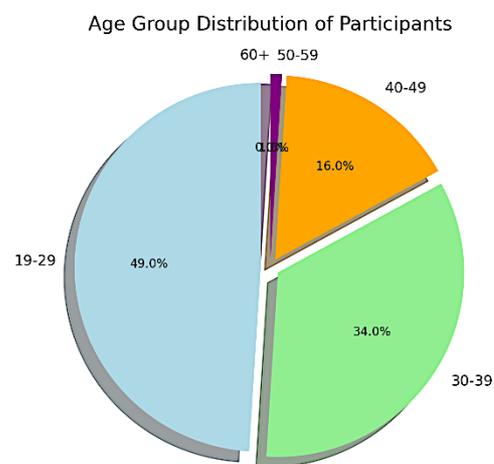


Table 3*Age*

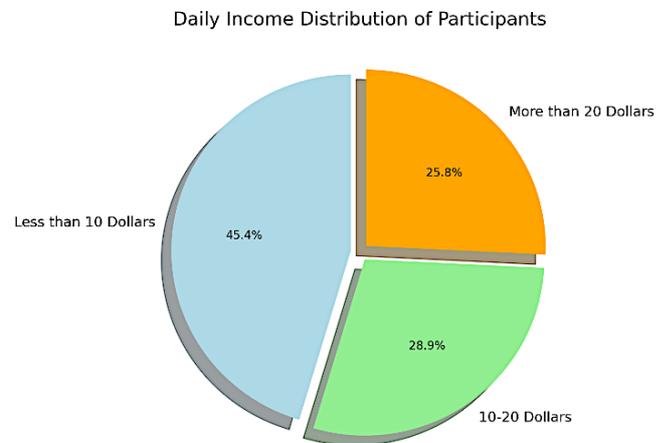
	Frequency	Percent	Valid Percent	Cumulative Percent
19-29	49	49.0	49.0	49.0
30-39	34	34.0	34.0	83.0
40-49	16	16.0	16.0	99.0
50-59	1	1.0	1.0	100.0
Total	100	100.0	100.0	

Analysis

To investigate the chronological order of participants across five age groups—19–29, 30–39, 40–49, 50–59, and 60 and above—a descriptive evaluation of age frequency was carried out. With 49% of the total participants, the age group of 19 to 29 had the highest accountability, according to the frequency estimation and a pie chart. The 30–39 age group stood next with 34% of participation, followed by the 40–49 age group with 16%. In particular, nobody was participating from the age category of 60 and beyond, and just 1% of responders were in the 50–59 age range.

4.3.4 Daily Income

The last demographic variable was daily income. It was included to reach the study's aim. It was further divided into three ranges.

Figure 4*Daily Income***Table 4***Daily Income*

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	less than 10 Dollars	44	44.0	45.4	45.4
	10 -20 Dollars	28	28.0	28.9	74.2
	more than 20 Dollars	25	25.0	25.8	100.0
	Total	97	97.0	100.0	
Missing	System	3	3.0		
	Total	100	100.0		

Analysis

Using SPSS, a descriptive study of the daily income variable was carried out with an emphasis on the subject distribution of earnings. Less than \$10, \$10–20, and over

\$20 were the three groups into which the income categories were sorted. According to this research, the majority of participants—44 percent—reported making less than \$10 each day. This implied that a substantial number of responders were from lower-income demographics, which might affect their circumstances and obstacles while trying to obtain justice. 28% of those who participated in the subsequent group revealed they made between \$10 and \$20 a day. Last but not least, 25% of the respondents made more than \$20 per day, demonstrating a smaller group of people with considerably higher earnings.

4.3.5 Discussion

Important information about the participants' sociodemographic profile and their opinions on language usage in Pakistan's judicial system might be gleaned from the examination of the variables gender, place of residence, age, and daily income. Male and female participants were equally represented in the gender variable, suggesting that individuals of both genders shared equally in the discussion of legal language experiences. According to the residency variable, 70% of the people surveyed lived in cities, whilst 30% were from remote areas. According to the age analysis, the majority of participants were between the ages of 19 and 29 and 30 and 39. The economic fragility was shown by the daily income parameter, which showed that a sizable percentage of participants (44%) made less than \$10 per day.

4.3.6 Conclusion

Considering its insightfulness, research has some of its limits that need to be recognized. Primarily, the study was strictly limited to Rawalpindi's district courts, which might not adequately represent the variety of language attitudes and observations seen throughout Pakistan's larger judicial system. Due to the multitude of regional languages and differing socioeconomic circumstances, the results could not be completely applicable to other provinces, within which linguistic fluctuations could have been different. Future studies have to take a more comprehensive geographic orientation by incorporating people from other Pakistani provinces and areas.

Understanding the various experiences related to language and difficulties encountered in various sociocultural and geographical settings might be beneficial. The reliability and applicability of the results would be substantially enhanced by increasing

the sample size and making sure that various age groups, economic phases, and educational experiences are better reflected.

4.4 Analyses of Questionnaire's Prompts

Besides demographic information, the researcher analyzed the questionnaire's statements using SPSS version 21, utilizing descriptive statistics, distribution of frequency, and inferential tests techniques like t-test and ANOVA. The test illustrated the differences among these variables and their patterns. While graphical representation was used to visualize data to give clarity of the data more effectively. In the present study, the question was designed to meet the objectives of the study, with the focus on the impacts of languages such as English and Urdu on access to justice in the legal system of Pakistan.

The construction of the questionnaire began with a detailed review of the literature relevant to the linguistic capital in the legal system. Such a review included the studies conducted within the social and economic contexts of Pakistan. The literature review benefited the researcher in finding primary themes and important variables that were essential in the formulation of relevant questions. The research questionnaire was divided into two main sections, in which the first section showed the demographic information of the respondents, including their ages, genders, location, and daily income.

The purpose of selecting such variables for the questionnaire was to identify the perceptions of the people relevant to linguistic barriers and communication in the judicial system. The second section of the questionnaire showed other objectives of the research. It was established on 13 thematic statements carefully addressing the impact of linguistic capital in access to justice concerning both languages, i.e., English and Urdu. It is noteworthy to mention that the questionnaire was partially adopted from the work of Ahmed (2020). Besides, the data collected via the questionnaire helped the researcher to find the impacts of the used language on the perceptions and the legitimacy towards the legal system. Regarding the format of the statements, a Likert five-point scale was used, ranging from strongly disagree to strongly agree. The idea of choosing this format was to look at the effectiveness of respondents' attitudes and perceptions towards the subject of study.

Table 5

The use of English affects access to justice in the legal system of Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	5	5.0	5.0	5.0
Disagree	10	10.0	10.0	15.0
Valid Undecided	4	4.0	4.0	19.0
Agree	47	47.0	47.0	66.0
Strongly agree	34	34.0	34.0	100.0
Total	100	100.0	100.0	

Analysis

The statement (The use of English affects access to justice in the legal system of Pakistan) was examined, and the results revealed significant new details on how participants perceived language hurdles in the legal system. There is widespread acceptance that the use of English affects accessibility to justice, according to the results shown in Table 5. A significant 47% of the 100 respondents agreed, and 34% strongly agreed, that access to justice was influenced by English. With all factors considered, 81% of participants acknowledged that the prevalence of English in court hearings made it difficult to comprehend legal procedures, which could hamper their ability to fully participate in the legal system. This consensus implied that English, which was frequently seen as an elite language, limited admittance for the general public, especially for people from lower-educated or rural environments.

However, barely a percentage of people reported disagreements. Approximately 10% disagreed with the affirmation, and 5% strongly disagreed, indicating that they considered English to be neutral or vital to judicial processes. Moreover, 4% of respondents were still unsure, which might be a sign of a lack of intimate familiarity

with language obstacles in legal settings or doubt about the significance of the implications. The broad agreement was reinforced by the cumulative percentage analysis. Sixty-six percent of participants regarded English as a barrier at the point their comments dropped into the (agree) group. When the (strongly agree) replies were included, the total proportion rose to 100%, highlighting the substantial value of the opinion that supported acknowledging English as a barrier to acquiring justice.

Contextual Discussion

The elevated rate of agreement highlighted the fact that English, as a colonial legacy, still presented major obstacles to legal convenience, which synced with the findings' strong alignment with the larger research problem. The usage of English served as a language barrier that limited the majority of individuals from gaining awareness of legal rights, protocols, and documents, especially for those from rural areas, lower-income groups, and those with lower levels of knowledge. The claim that Urdu, the national language, has more linguistic capital to promote access to justice was supported by the evidence presented. Promoting Urdu's use in legal contexts would aid in reducing the language divide and facilitating legal procedures, because it is more generally understood by people from a wider range of socioeconomic and academic experiences.

Additionally, these results indicated how exclusive English-language juridical procedures were. The participants' unrelenting thirst for a legal language is better understood, as they all understand how important linguistic diversity is to sustain justice. As a result, the study supported the necessity of Urdu-focused legal changes that aim to strengthen litigants and lessen gaps in legal knowledge.

Table 6

The use of English affects the quality of legal communication for litigants

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	5	5.0	5.0	5.0
Disagree	9	9.0	9.0	14.0
Undecided	3	3.0	3.0	17.0
Agree	48	48.0	48.0	65.0
Strongly agree	35	35.0	35.0	100.0
Total	100	100.0	100.0	

Analysis

The statement highlighted significant assumptions regarding language constraints and their impact on the performance of legal communication in Pakistan. According to the data presented in Table 6, most participants acknowledged the detrimental effect of English on legal communication. Out of 100 respondents, a notable 48% agreed, and 35% strongly agreed that the ability of complainants to communicate legally was hindered by English. This signified that 83% of participants believed that litigants faced challenges when English was employed in legal contexts, particularly in interpreting legal jargon, court procedures, and documents. This widespread agreement reflected common concerns that the limited use of English undermined the efficacy and transparency of legal communications, making it harder for litigants to grasp their roles in the legal process fully.

The cumulative percentage further illustrated the extent of agreement. By choosing the 'agree' response, 65% of those surveyed confirmed the negative impact of English on legal interaction; this cumulative figure escalated to 100% when 'strongly agree' responses were incorporated, demonstrating an overwhelming majority perceiving

English as a barrier to effective legal communication. Conversely, 9% of participants disagreed, and 5% strongly disagreed with this assertion, suggesting that a minority viewed English as either beneficial or detrimental to legal communication. Additionally, 3% of respondents were uncertain, possibly due to limited exposure or confusion regarding the influence of language on legal communication.

Contextual Discussion

Despite being the most commonly used legal language, there was a widespread consensus among respondents that English diminishes the quality of interaction between litigants and legal professionals. The complex legal vocabulary in English complicates comprehension for many litigants, particularly those from rural or low-education backgrounds, potentially leading to misunderstandings, confusion, and even hasty decisions. Given that Urdu is the national language and widely spoken, it possesses greater linguistic capital to improve the quality of communication. Opting for Urdu suggests that a more accessible language could encourage litigants, enhance understanding, and ensure greater participation in the judicial system. As only those proficient in English can navigate the complexities of the justice system, the use of English contributes to the perception that the legal system is exclusive.

Table 7

The use of English affects the quality of legal communication for lawyers

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	1	1.0	1.0	1.0
Disagree	19	19.0	19.0	20.0
Undecided	8	8.0	8.0	28.0
Agree	46	46.0	46.0	74.0
Strongly agree	26	26.0	26.0	100.0
Total	100	100.0	100.0	

Analysis

To determine how legal practitioners view the role of English in their communication within the legal system, the argument was evaluated. Insightful perspectives were presented by the data in Table 7. 46% of participants agreed, and 26% strongly agreed, that English influenced the standards of legal exchange for solicitors. In total, 72% of participants recognized that using English could create complications for solicitors, potentially compromising the efficiency and clarity of legal language, especially when interacting with clients or making complex arguments in court. This acceptance suggested that language difficulties could arise even for legal professionals, who were often expected to speak English proficiently. This was particularly evident when interpreting technical legal jargon or ensuring that individuals with limited English proficiency could not understand one another.

Conversely, just 1% strongly disagreed, while 19% disagreed, indicating that a minority of legal professionals considered English either helpful or non-problematic for their communication processes. Furthermore, 8% of participants remained uncertain, potentially due to conflicting views on the use of language in legal contexts or uncertainty regarding its specific impact on communication. The trend is further substantiated by the overall percentage calculation. 74% of respondents already acknowledged that English impacts the quality of legal communication for practitioners by the time their responses fell into the (agree) category. When (strongly agree) responses were included, the cumulative proportion rose to 100%, revealing strong consensus regarding the challenges posed by English in professional interactions.

Contextual Discussion

These results conveyed useful data on the larger study topic. The answers showed that language hurdles might still endure, impacting the ease and productivity of legal professionals' communication, even though lawyers are usually believed to be fluent in English, according to their legal training. This is particularly important in extensive judicial processes, while exact claims and complicated vocabulary are vital. Furthermore, the results reflected that even legal professionals might experience interpersonal issues when using English in communicating with clients, court employees, or when composing legal papers. This intricacy might make it more difficult to provide legal representation efficiently and lower the process's overall effectiveness.

Table 8

Proficiency in the English language assists/helps in getting access to justice in the legal system of Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	6	6.0	6.1	6.1
Disagree	23	23.0	23.2	29.3
Undecided	10	10.0	10.1	39.4
Valid Agree	43	43.0	43.4	82.8
Strongly agree	17	17.0	17.2	100.0
Total	99	99.0	100.0	
Missing System	1	1.0		
Total	100	100.0		

Analysis

The statement was studied to determine how participants perceived the significance of English proficiency in maneuvering the judicial system. Table 8 presented insightful trends concerning how language skills impacted access to justice. Out of 99 valid responses, 43% agreed and 17% strongly agreed that English competence improved access to justice. Combined, this indicated that 60.6% of the participants experienced knowledge of English as a substantial benefit in Pakistan's judicial system. This viewpoint was likely to reflect the fact that English was still the most often used language in legal paperwork, judicial, and correspondence. Individuals who spoke English well might find it easier to navigate legal procedures, giving them better chances of getting justice.

However, a sizable proportion of participants indicated disagreement. Approximately 23% disagreed, with 6% strongly disagreeing, which implied that they either felt language should not be a barrier to justice or that alternate methods (such as translations) reduced the influence of English competence. Furthermore, 10% of respondents were indecisive, indicating confusion regarding the extent to which English competence directly affects access to justice. The cumulative percentage calculation strengthened the conclusions. By the time replies hit the agree group, 82.8% of participants had stated their views, with the ultimate cumulative proportion approaching 100% after accounting for the strongly agree answers. This trend demonstrated that, while most people recognized the benefits of English proficiency, a sizable number disputed its role in providing fair access to justice.

Contextual Discussion

Study results indicated that English competence was regarded as a type of linguistic capital, giving individuals a benefit in understanding legal procedures, communicating with legal experts, and reading legal documents. Nevertheless, the data illustrated an important issue: persons who did not speak English might encounter difficulties in seeking justice. This was especially important for those who lived in rural areas, lacked adequate education, or were economically poor. Their low command of English might impair their capacity to grasp legal privileges, participate in legal actions, or interact effectively with legal material, jeopardizing fair access to justice.

The findings point out the importance of language inclusion within the judicial system. Promoting Urdu as the principal means of legal communication may simplify the accessibility of justice by lowering reliance on English proficiency.

Table 9

Proficiency in the Urdu language assists/helps in getting access to justice in the legal system of Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	8	8.0	8.0	8.0
Disagree	28	28.0	28.0	36.0
Undecided	8	8.0	8.0	44.0
Valid Agree	36	36.0	36.0	80.0
Strongly agree	20	20.0	20.0	100.0
Total	100	100.0	100.0	

Analysis

This statement showed the perspective of respondents regarding the use of Urdu in the judicial system and its role in access to justice. The data displayed in Table 9 indicate various perspectives on the utility of Urdu in accessing the legal environment. According to the data, 36% of those surveyed agreed, with 20% strongly agreeing that Urdu proficiency improved access to justice. Overall, the data implied that 56% of participants saw Urdu as a useful tool for understanding and managing the judicial system. This viewpoint was most likely based on the fact that Urdu is Pakistan's national language, which is frequently used and comprehended by the general public, comprising many plaintiffs and ordinary individuals.

However, a considerable 28% of respondents disagreed, with 8% strongly disagreeing, implying that they believed the judicial system was still mainly dependent on English, with minimal official use of Urdu in court documents and procedures. Furthermore, 8% of respondents were unsure, which might indicate ambiguity about present legal language norms or the real usefulness of Urdu in aiding access to justice. The cumulative percentage evaluation revealed that by the time feedback entered the

agree group, 80% of participants had already stated their opinions, with the cumulative percentage exceeding 100% after integrating the (strongly agree) answers.

Contextual Discussion

According to the findings, while the majority perceived Urdu knowledge as advantageous for obtaining justice, a significant proportion of the population challenged its contemporary relevance. Notwithstanding representing the national language, Urdu's function in the legal system has been confined, which could be the reason why a large proportion of respondents believe it is now ineffective in promoting access to justice. Nonetheless, the high number of respondents who preferred Urdu proficiency demonstrated an intense need for more linguistic inclusion. Promoting the use of Urdu in judicial processes, documentation, and communication might help to close the gap for a vast majority of the population, leaving the legal system more affordable and impartial.

Table 10

English is suitable as the language of the courts and legal system of Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	38	38.0	38.0	38.0
Disagree	41	41.0	41.0	79.0
Valid Undecided	3	3.0	3.0	82.0
Agree	11	11.0	11.0	93.0
Strongly agree	7	7.0	7.0	100.0
Total	100	100.0	100.0	

Analysis

The query had been examined to determine the opinions of the participants regarding the relevance of English as the dominant legal language. The data given in Table 10

showed important findings concerning language choices within Pakistan's legal system. The data showed that a majority of individuals (79%) voiced dissatisfaction with English as the right language for legal systems and the judicial system. 38% strongly disagreed, while 41% disagreed with the proposition. This strong resistance reflected a widespread belief that English, as a colonial legacy, was still unavailable to the majority of Pakistan's population, especially those from rural or less-educated areas. These respondents most likely believed that the continued use of English in legal settings limited access to justice, complicated understanding of the legal process, and created challenges for laypeople.

Only a minority of participants favored the usage of English. Approximately 11% agreed, with 7% strongly agreeing, showing that individuals with higher education or legal backgrounds believed that English was still an adequate language for legal interactions. Furthermore, 3% of respondents remained hesitant, probably due to concerns about the feasibility or ramifications of utilizing English as opposed to Urdu in the judicial system. The cumulative percentage showed that 93% of participants had stated their opinion, with just a small proportion supporting English as the official dialect. This substantial cumulative tendency towards English appropriateness reflected a larger community's perception that the existing language patterns in the judicial system support the elite while excluding the ordinary public.

Contextual Discussion

The unanimous dismissal of English as the appropriate legal language underscores perceived unavailability and discriminatory tendencies throughout the justice system. The responses of the respondents showed a significant interest in a linguistic transition to Urdu, which is more generally acknowledged and widely available across socioeconomic classes. This is consistent with the wider notion that dependence on English fosters social and legal disparities by rewarding persons with English proficiency, a type of linguistic power that does not circulate equally throughout Pakistan's varied population.

Table 11

Urdu is suitable as the language of the courts and legal system of Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	4	4.0	4.0	4.0
Undecided	2	2.0	2.0	6.0
Agree	34	34.0	34.0	40.0
Strongly agree	60	60.0	60.0	100.0
Total	100	100.0	100.0	

Analysis

The statement was evaluated to find out participants' opinions on the suitability of Urdu for court proceedings. Table 11 provided significant insights into the public's opinion regarding linguistic appropriateness. The findings indicated a substantial inclination for Urdu as a medium of courts. A tremendous 60% of the participants strongly agreed, and 34% agreed with the statement in question. This represented 94% of all responders who believed Urdu was appropriate for legal communication. This significant majority reflected a broad opinion that Urdu, as the national and widely recognized language, could fill the present communication gap in the judicial system. Participants believed that using Urdu in court proceedings would promote knowledge, involvement, and expedite the procedure of justice for the majority of the public.

In comparison, only 4% of the respondents disapproved with the statement, while 2% were indecisive. The low level of disagreement showed that a small percentage of respondents, presumably those who preferred English or were concerned about legal clarity, regarded Urdu as less acceptable. A small portion of uncertain participants reflected a solid consensus on this subject. The cumulative percentage analysis revealed a quick increase in acceptance, reaching 40% with the (agree) response and 100% with the (strongly agree) answers. This pattern demonstrated the widespread and forthright support for Urdu's use as the language of legal communication in Pakistan.

Contextual Discussion

This data provided vital insights. The overwhelming preference for Urdu indicated the participants' understanding of language as an essential factor in providing a fair means of justice. Considering that Urdu is widely known, its usage would lower obstacles, promote inclusiveness, and improve the general understanding of legal procedures. Likewise, the findings are consistent with Pierre Bourdieu's notion of linguistic capital, which suggests that language skill has a major impact on social status and access to commodities. In this example, the demand for Urdu emphasizes the need to align legal processes with the majority's linguistic concerns to establish equal justice.

Table 12

The use of English positively affects the public perception of the judiciary and the legal system in Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	20	20.0	20.0	20.0
Disagree	40	40.0	40.0	60.0
Undecided	14	14.0	14.0	74.0
Agree	19	19.0	19.0	93.0
Strongly agree	7	7.0	7.0	100.0
Total	100	100.0	100.0	

Analysis

As shown in Table 12, almost all of the respondents disagreed that speaking English improves public impression. Particularly, 40% of those surveyed disagreed, with 20% strongly disagreeing, which implied that 60% of the people who took part experienced English as a hindrance rather than a resource in establishing positive public impressions of judges. This inference implied that the usage of English could disenchant the general populace, making the judicial system appear distant and unreachable. In contrast, 19%

of the participants agreed, with 7% strongly agreeing, for a total of 26% believed that English constructively improved the judiciary's image. This group could interpret English as a symbol of competence or legal legitimacy. Meanwhile, 14% of the participants were confused, which might suggest ignorance about how language affects people's opinions or a neutral view. The cumulative percentage displayed that 60% of cumulative answers had previously been reported in the "disagree" category, reinforcing the prevalence of unfavorable attitudes toward English in the realm of law.

Contextual Discussion

The findings suggest that the public sees the use of English as one attribute that separates judicial officials from the general public. This is consistent with Bourdieu's idea of linguistic capital, in which language skills may reinforce power systems and social divisions. English, while historically seen as a sign of authority, tends to erode public trust and awareness when it constitutes a barrier to cognition.

Table 13

The use of English negatively affects the public perception of the judiciary and the legal system in Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	5	5.0	5.0	5.0
Disagree	18	18.0	18.0	23.0
Undecided	10	10.0	10.0	33.0
Agree	43	43.0	43.0	76.0
Strongly agree	24	24.0	24.0	100.0
Total	100	100.0	100.0	

Analysis

As indicated in Table 13, 67 percent of respondents acknowledged the statement. 43% agreed, with 24% strongly agreeing, that English had an undesirable effect on public perception of the judiciary. This implied a strong belief that the adoption of English constitutes a barrier, perpetuating sentiments of limitations and detachment in the judicial system. In contrast, just 23% of individuals disapproved with the statement, with 5% strongly disagreeing and 18% disagreeing. This minority might regard English as having a neutral or even beneficial impact, maybe associated with competency or customary practices. However, the lower percentage showed that these viewpoints were less pervasive. 10% of indecisive respondents indicated some amount of ambiguity, potentially brought on by a lack of personal experience or nuanced perspectives about the function of English in molding public attitudes. The cumulative percentage data showed that the (agree) response accounted for 76% of replies, indicating a substantial consensus with the negative impression notion.

Contextual Discussion

The findings support the notion that English, as a type of linguistic capital, might contribute to the maintenance of socioeconomic inequality. Language, according to Bourdieu's theory, is a kind of symbolic authority, and skill in an authoritative tongue such as English may operate as a barrier to attending legal processes. The findings imply that the usage of English may harm public opinion by instilling sentiments of exclusion in people who lack competence. It also reflects an instinct for adopting Urdu to make the judiciary appear more equitable, readily accessible, and relevant to the general public.

Table 14

The use of Urdu positively affects the public perception of the judiciary and the legal system in Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	1	1.0	1.0	1.0
Disagree	8	8.0	8.0	9.0
Undecided	4	4.0	4.0	13.0
Agree	52	52.0	52.0	65.0
Strongly agree	35	35.0	35.0	100.0
Total	100	100.0	100.0	

Analysis

The statement was evaluated to determine the opinions of respondents about the impact of Urdu on the judiciary's image. According to Table 14, the vast majority of participants (87%) agreed with the assertion that was made. Particularly, 52% agreed, with 35% strongly agreeing, that the usage of Urdu promoted public opinions of the judicial and legal system. This indicated a strong notion that using Urdu being the national language made the judiciary more accessible and understandable to the general public. In contrast, a minority of the participants (9%) disapproved of the statement, with 1% strongly disagreeing and 8% disagreeing. This minority might view the usage of Urdu as inappropriate for legal accuracy or meeting professional requirements.

Furthermore, 4% of respondents were undecided, expressing some skepticism regarding the extent to which Urdu affects public opinion. This might indicate a lack of practical experience or the difficulty of integrating language involvement with legal precision. The cumulative percentage showed that the (agree) response accounted for 65% of total responses, indicating a strong majority in support of Urdu's positive effect on the public's views.

Contextual Discussion

Keeping with Pierre Bourdieu's notion of linguistic capital, language serves as a means of power and accessibility. The high degree of accord indicates that Urdu, being the most accessible language to the general public, is considered an agent for lowering obstructions to justice and promoting acceptance. Respondents' favorable experiences suggest that utilizing Urdu in the legal system may increase public credibility and security. It also represents people's cultural and social attachments to Urdu, emphasizing that linguistic inclusion might boost the judiciary's image and inspire more collaboration in judicial legal proceedings.

Table 15

The use of Urdu negatively affects the public perception of the judiciary and the legal system in Pakistan

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	28	28.0	28.0	28.0
Disagree	47	47.0	47.0	75.0
Valid Undecided	9	9.0	9.0	84.0
Agree	14	14.0	14.0	98.0
Strongly agree	2	2.0	2.0	100.0
Total	100	100.0	100.0	

Analysis

According to Table 15, a large majority of respondents disagreed with the concept that Urdu had an adverse impact on public views. Indeed, 28% strongly disagreed and 47% disagreed, implying that 75% of respondents did not believe Urdu was hazardous to the judiciary's public image. This verdict reflected the broad opinion that Urdu, as the national language, could not undermine the judiciary's impartiality or availability. Whereas a smaller number stated opposing viewpoints. Approximately 14% agreed,

with 2% strongly agreeing that Urdu had negative effects on public opinion, while 9% were unreliable. These opinions can arise from anticipations about the considered professionalism, brevity, or worldwide value of judicial processes in Urdu in contrast to English. The cumulative proportion in the (disagree) category amounted to 75%, reflecting the majority's view that denied the unfavorable connection between Urdu and public impressions of judges.

Contextual Discussion

The statistics show that the utilization of Urdu is not viewed as an obstacle to the judiciary's legitimacy. Rather, participants believe Urdu is a benign or even beneficial tool in improving access to justice. This is consistent with Pierre Bourdieu's concept of linguistic capital, which views language as an asset that may either uplift or relegate individuals. Urdu, being a commonly spoken language, is viewed as helping to enhance inclusiveness and accessibility rather than harming the independence of the judicial system.

Table 16

English should be used as a linguistic capital in the access to justice in the Pakistani legal system

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	36	36.0	36.0	36.0
Disagree	39	39.0	39.0	75.0
Undecided	3	3.0	3.0	78.0
Valid Agree	14	14.0	14.0	92.0
Strongly agree	8	8.0	8.0	100.0
Total	100	100.0	100.0	

Analysis

The statement was analyzed to better comprehend the views of the participants on English as a helpful resource for assisting access to justice. Based on Table 16, the majority of the participants condemned the idea that English should be used as linguistic capital in Pakistan's legal system. Specifically, 36% completely disagreed and 39% disagreed, with 75% of individuals rejecting the idea altogether. This indicated a definite preference to encourage Urdu rather than English in providing equal accessibility to justice. In contrast, a lower percentage endorsed the statement in question. Only 14% agreed, with 8% strongly agreeing, suggested that a minority still viewed English as a vital linguistic asset for legal access. Furthermore, 3% of respondents were undecided, perhaps showing ambivalence about English's place in the judicial system. The cumulative proportion showed that 75% of the respondents already opposed by the third response selection, supporting the majority's resistance to the controlling use of English to gain justice.

Contextual Analysis

This conclusion has major consequences for the research. According to the findings, the majority of people do not see English as an aristocratic language that facilitates the delivery of justice. This is linked to the idea that, while English is an international dialect, it can create difficulties for ordinary Pakistanis who prefer to interact in Urdu or indigenous languages. The approach also aligns with Pierre Bourdieu's idea of linguistic capital, which views language as an instrument that might enable or alienate individuals. In this case, English appears to serve as a discriminatory strategy, benefiting individuals with academic and socioeconomic benefits while restricting the majority who do not have fluency.

Table 17

Urdu should be used as a linguistic capital in the access to justice in the Pakistani legal system

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly disagree	2	2.0	2.0	2.0
Disagree	7	7.0	7.0	9.0
Undecided	3	3.0	3.0	12.0
Agree	39	39.0	39.0	51.0
Strongly agree	49	49.0	49.0	100.0
Total	100	100.0	100.0	

Analysis

The argument that Urdu should be used as linguistic capital in accessing justice within the Pakistani legal system was evaluated to ascertain the opinions of respondents regarding the role of Urdu in facilitating legal access. According to Table 17, a significant proportion of respondents endorsed the utilization of Urdu as linguistic capital. Notably, 49% strongly agreed, while 39% agreed, resulting in a total of 88% who regarded Urdu as a crucial means of enhancing access to justice. This strong consensus highlighted the widespread belief that Urdu, as the national language, fostered greater awareness and connectivity within the judicial system. In contrast, only a minimal percentage disagreed, with 2% strongly disapproving and 7% disagreeing. Furthermore, 3% of respondents were undecided, showing no reservations about Urdu's importance in facilitating justice. The overall proportion revealed that more than half (51%) of respondents were united in their fourth option choice, indicating Urdu's increasing popularity.

Contextual Discussion

The study found that 88% of participants (comprising 49% firmly supporting and 39% agreeing) advocate for Urdu as the primary linguistic capital in Pakistan's judicial framework, with significant socio-linguistic and legal implications. This overwhelming support underscores that utilizing Urdu is not merely a language preference; it is a vital requirement for ensuring impartiality and fairness within Pakistan's judicial system. According to Pierre Bourdieu's theory of linguistic capital, language acts as a form of symbolic authority that can influence social mobility as well as access to institutional frameworks such as the legal system. In Pakistan, English has historically functioned as the dominant linguistic capital, signifying status, education, and authority in society.

This study demonstrated a strong preference for Urdu to function as the leading linguistic capital, particularly regarding access to justice. Participants concurred that Urdu, as the national and widely spoken language, promotes greater engagement and understanding in court proceedings. This is especially critical in Pakistan, where a considerable portion of the population speaks limited English. According to Bourdieu, enforcing English within judicial institutions creates symbolic domination, sidelining individuals lacking the language skills to navigate the system effectively. In contrast, Urdu serves as a more accessible linguistic capital, enabling individuals to participate freely in judicial processes. This aligns with Bourdieu's theory that individuals develop and deploy linguistic capital in ways that affect their ability to succeed within institutional entities like the court.

4.5 Descriptive Analysis of SPSS Data

Table 18

SPSS Statistics

Statistics										
		Age	Gender	Residence	Daily income	The use of English affects the access to justice in the legal system of Pakistan	The use of English affects the quality of legal communication for litigants	The use of English affects the quality of legal communication for lawyers	Proficiency in the English language assists/helps in getting access to justice in the legal system of Pakistan	Proficiency in the Urdu language assists/helps in getting access to justice in the legal system of Pakistan
N	Valid	100	100	100	97	100	100	100	99	100
	Missing	0	0	0	3	0	0	0	1	0
	Mean	1.69	1.50	1.70	1.80	3.95	3.99	3.77	3.42	3.32
	Median	2.00	1.50	2.00	2.00	4.00	4.00	4.00	4.00	4.00
	Mode	1	1 ^a	2	1	4	4	4	4	4
	Std. Deviation	.775	.503	.461	.825	1.114	1.096	1.072	1.196	1.294
	Sum	169	150	170	175	395	399	377	339	332

a. Multiple modes exist. The smallest value is shown

(a)

English is suitable as the language of the courts and legal system of Pakistan	Urdu is suitable as the language of the courts and legal system of Pakistan	The use of English positively affects the public perception of the judiciary and the legal system in Pakistan	The use of English negatively affects the public perception of the judiciary and the legal system in Pakistan	The use of Urdu positively affects the public perception of the judiciary and the legal system in Pakistan	The use of Urdu negatively affects the public perception of the judiciary and the legal system in Pakistan	English should be used as a linguistic capital in the access to justice in the Pakistani legal system	Urdu should be used as a linguistic capital in the access to justice in the Pakistani legal system	Linguistic
100	100	100	100	100	100	100	100	100
0	0	0	0	0	0	0	0	0
2.08	4.50	2.53	3.63	4.12	2.15	2.19	4.26	3.3777
2.00	5.00	2.00	4.00	4.00	2.00	2.00	4.00	3.4231
2	5	2	4	4	2	2	5	3.46
1.220	.732	1.210	1.178	.891	1.048	1.285	.960	.35447
208	450	253	363	412	215	219	426	337.77

(b), (to make it readable, the table has been divided into two parts i.e., a & b)

4.5.1 Demographic Variables

The data analyzed using SPSS version 21 showed that for age, the mean was 1.69 and the median was 2.00. This highlighted the involvement of young participants in the study, with more reported responses and a mode of 1. The standard deviation of 0.775 indicated considerable variability in age. For gender, the mean and median were both

1.50, with a mode of 1, suggesting an equal distribution of both genders. Additionally, the standard deviation of 0.503 indicated less variance in this group. The variable residence/location indicated a mean of 1.70 and a mode of 2, with a standard deviation of 0.461, suggesting that most respondents hailed from urban areas with minimal variation. Finally, the mean daily income recorded was 1.80, with a mode of 1. These figures suggested that more respondents fell into the low-income bracket, whilst the standard deviation of 0.825 indicated some variation among income levels.

4.5.2 13- Statements

The values presented in Table 18 (SPSS Statistics) indicated that the use of English affected access to justice within the legal system of Pakistan. The impact of English on legal communication significantly affected both lawyers and litigants; however, due to a lack of legal knowledge among litigants, they were more adversely affected by the legal system. In examining proficiency in English and Urdu and their impacts on access to justice, statistics revealed that proficiency in English could better assist participants in legal matters compared to Urdu when English was considered as linguistic capital. Nevertheless, the people of Pakistan possessed a comparatively greater linguistic capital in Urdu due to its national status.

Regarding the suitability of court language, the mean for Urdu was determined to be 4.50, while for English it was 2.08, highlighting that Urdu was more suited as the language of the courts for both litigants and lawyers. Concerning public perception and legitimacy, the analyzed data indicated a negative perception of the use of English, with a mean of 3.63, contrasted with a positive perception of Urdu, which had a mean of 4.12. Furthermore, significant differences were recorded in the outputs regarding language as a form of linguistic capital for both languages. Participants reported Urdu as a preferred form of linguistic capital with a mean of 4.26, compared to English, which had a mean of 2.19. Overall, it was concluded that the linguistic values, with a mean of 3.3777 and a standard deviation of 0.35447, indicated a stronger inclination among participants towards Urdu within the legal system of Pakistan.

4.5.3 T-test

- Gender Group

Table 19*Gender Group-Statistics*

Group Statistics					
	Gender	N	Mean	Std. Deviation	Std. Error Mean
Linguistic	Male	50	3.3769	.38391	.05429
	female	50	3.3785	.32630	.04615

Table 20*Independent Sample Test on Gender*

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Linguistic	Equal variances assumed	.157	.693	-.022	98	.983	-.00154	.07125	-.14294	.13986
	Equal variances not assumed			-.022	95.519	.983	-.00154	.07125	-.14299	.13991

Discussion

Following the analysis of data using SPSS, the researcher applied the t-test and ANOVA to validate the responses obtained from the questionnaire. The analysis revealed that the t-test indicated equal perceptions between both male and female respondents regarding the use of the Urdu language as a linguistic capital in accessing justice and the legitimacy of the legal system. The first Levene's Test for assessing the equality of variances indicated that equal variances were achieved with a value of ($p = 0.693$), which was greater than 0.05. The researcher then employed a further t-test to obtain more accurate results. Consequently, it was observed that the t-value of -0.022 and a p-value of 0.973 were above the basic significance threshold of 0.05. Therefore, it could be generalized that there was no gender difference in the perceptions concerning language barriers within the legal system, particularly about the use of English and the neglect of the national language in this context. The mean difference between the gender groups was minimal at -0.00154, which is considered negligible. This low value affirmed the lack of variation in the data acquired from both genders.

Additionally, the confidence interval percentage for the difference ranged from -0.14294 to -0.13986 at 95%. This firmly concluded that the participants' perceptions were not influenced by gender differences but rather shaped by socio-economic and cultural factors affecting their attitudes towards the legal system in Pakistan.

- Residence Group

Table 21

Residence Group-Statistics

Residence		N	Mean	Std. Deviation	Std. Error Mean
Linguistic	Rural	30	3.2923	.37051	.06765
	Urban	70	3.4143	.34358	.04107

Table 22

Independent Sample Test on Residence

		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Linguistic	Equal variances assumed	.694	.407	-1.589	98	.115	-.12198	.07676	-.27431	.03035
	Equal variances not assumed			-1.541	51.381	.129	-.12198	.07914	-.28082	.03686

Discussion

Regarding the residence variable, the independent sample test was employed to identify the differences in perceptions between urban and rural respondents. The analysis showed that the mean for rural participants was 3.2923 with a standard deviation of 0.37051, whereas for urban respondents, the mean recorded was 3.4143 with a standard deviation of 0.34358, which was slightly higher. The Levene's test for equality of variance demonstrated the variance differences. It was found that the t-test value was -1.589 and the p-value was 0.115. Meanwhile, the significance value was reported as $p=0.407$, typically greater than 0.05, which is the standard for equal variances. The researcher found that there were no significant differences in linguistic

perceptions between those residing in rural and urban areas. A lack of significant difference was noted when the researcher calculated the mean difference of -0.12198 with a confidence percentage of 95, ranging from -0.27431 to 0.03035. Overall, it was concluded that urban participants were more engaged compared to rural residents, yet the perceptions of both rural and urban participants displayed similarities towards the legal system of Pakistan.

4.5.4 ANOVA (One-way)

- Age Group

Table 23

ANOVA for Age Group Variable

ANOVA					
Linguistic					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	.436	3	.145	1.162	.328
Within Groups	12.003	96	.125		
Total	12.439	99			

Discussion

In this variable age, the ANOVA test was applied to assess the differences in linguistic perception among the various age groups. The results indicated that both between-group and within-group variances recorded notable differences, with the sum of squares between groups at 0.436, while the sum of squares within groups was 12.003. The frequency value was recorded at 1.162, suggesting no significant differences between groups. Furthermore, the significance value, denoted as p, is equal to 0.328, which exceeds the fundamental threshold of 0.05. From Table 23, it can be concluded that there are no substantial differences observed among the groups. Additionally, there was no substantial evidence from the different age groups indicating differences in linguistic perceptions. Hence, regardless of age, the participants exhibited similar attitudes, showing a preference for the Urdu language over English as a linguistic capital. People feel more comfortable using Urdu as the language of the legal system.

- Daily Income Group

Table 24

ANOVA for Daily Income Group Variable

ANOVA					
Linguistic					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	.300	2	.150	1.167	.316
Within Groups	12.103	94	.129		
Total	12.403	96			

Discussion

From Table 24 regarding the Daily Income Group, the sum of squares between groups was analyzed as 0.300, indicating variance among the groups, while the sum of squares within groups was 12.103, denoting variance within each age group. Moreover, the frequency value recorded was 1.167, which was consistent with the first test's value, indicating differences among groups. Additionally, the researcher found the significance value of p to be 0.316, which is higher than the standard threshold value of 0.05. It can be concluded that the statistical value obtained from this test shows no significant differences among the perceptions of these age groups. The researcher examined through ANOVA tests that the participants' ages and income levels did not influence their linguistic perceptions; rather, linguistic factors undermine legal rights and create misunderstandings of legal discourse.

4.6 Conclusion

In conclusion, each section of the data analysis chapter emphasizes a crucial understanding that language is fundamental to accessing justice in Pakistan. The research clearly illustrates that English, while historically designated as the legal language, poses a linguistic barrier for many of Pakistan's citizens. It fosters misconceptions, ambiguity, and discrimination within the judicial system. Conversely, Urdu emerges as the preferred and most advantageous linguistic capital, promoting inclusivity, awareness, and justice. It not only enhances legal understanding but also elevates expectations and trust in the judiciary. The findings indicate a pressing need

for Urdu-focused legal reforms to provide improved access, equitable participation, and a more progressive legal system.

By transitioning to Urdu, Pakistan's constitutional framework would more accurately reflect the linguistic reality of its populace, thus ensuring that justice is transparent, easily accessible, and available to all, irrespective of social status. This transition is more than a mere matter of practicality; it represents a significant milestone towards achieving linguistic equity and genuine inclusion in the nation's legal system.

CHAPTER 5

CONCLUSION, FINDINGS, AND RECOMMENDATIONS

This chapter provided the outcomes of the research work. The preceding chapters gave an extensive discussion of the study topic, literature review, methodology, and data analysis. The findings persistently emphasized the imperative functions that language plays in either enhancing or hindering the availability of justice. This chapter incorporated the findings, revealed the main conclusions, and made concrete recommendations for administrative improvements. It would also make recommendations for subsequent studies, highlighting the significance of language accessibility in stimulating impartiality and equity throughout Pakistan's legal system.

5.1 Findings

The objective of the present research was to look at the contribution of language, primarily English and Urdu, to access justice within Pakistan's judicial system. Based on the idea of linguistic capital, the study attempted to figure out how language mastery influences people's capacity to comprehend judicial procedures. The data was collected from a broad sample of 100 individuals, including various age groups, genders, economic classifications, and rural and urban dwellings. The principal objective was to assess whether the use of Urdu may improve access to justice and legal interaction, therefore making the legal system more equitable.

The researcher has drawn the following findings from the current study. Following a comprehensive and complete evaluation of the data collected throughout several study phases, the researcher anticipated outlining the key assessments. These findings have also been given explicitly for each research question that has been studied.

5.1.1 General Findings

- Urdu as the primary language

Through the data, Urdu was relentlessly recognized as the preferred language for court procedures. A large number of respondents acknowledged that Urdu improved perception, communication, and dependence on the judicial system. Urdu was preferred across an array of demographic categories, including younger and older subjects,

educated and uneducated persons, rural and urban dwellers, and people of every socioeconomic background.

- English is an obstruction

English was seen as an inhibitor to justice, particularly among people with less education and from remote regions. Participants emphasized that English disrupts judicial processes, lowers comprehension, and fosters a sense of isolation in court settings.

- Effect on general perception regarding the use of language

The use of Urdu was observed to strengthen public awareness and reliability in the judiciary. In contrast, English was regarded as leading to disdain and alienation, making the judicial process look elitist to and challenging for the common person to navigate.

- The use of language and Linguistic Capital

Participants reiterated that Urdu should be declared the linguistic capital in the legal system, thus facilitating equitable and impartial access to justice. English, on the contrary, was deemed to limit access and perpetuate linguistic discrimination.

5.1.2. Findings of Prompts

In the present study, there were 13 prompts given to the respondents relevant to the objectives of the study. Each prompt found correlative outcomes, which showed the credibility of the study. Despite this underlying development, certain outcomes of interest appeared as follows;

Prompt 1. The usage of English governs access to justice

81% of participants (agree + strongly agree) reported that English had considerable effects on access to justice through establishing hurdles for those who could not understand exacerbated legal language. Only 15% disagreed, suggesting a lack of confidence in English's ability to provide justice. This indicated an imperative to highlight linguistic accessibility to ensure equality in the judicial system.

Prompt 2. The use of English affects the extent of legal correspondence for litigants

83% encountered that English restricted productive legal communication, especially among litigants acquainted with the language. The findings revealed that litigants

struggle to adequately articulate their legal problems, which might result in misconceptions and inaccurate assessments.

Prompt 3. Use of English Affects the Quality of Legal Communication for Lawyers

A sizable 72% agreed that even legal professionals had difficulty communicating efficiently when English acted as the prevalent language. This indicated that the complexities of legal terminology in English not only influence litigants but also minimize lawyers' capacity to fully represent clients.

Prompt 4. Proficiency in English facilitates access to justice

60% of respondents believed that knowing English enhanced access to justice. Nevertheless, the remaining 40% reflected the fact that many individuals in Pakistan could not speak English, which prevented them from accessing impartial judicial decisions.

Prompt 5. Proficiency in Urdu Facilitates Access to Justice

56% agreed that mastering Urdu helped them receive justice. This study validated the proposition that Urdu, as the national language, is more effectively adapted to permitting universal access to justice.

Prompt 6. English is appropriate as the language of the courts

A decisive 79% disagreed that English was appropriate for legal processes. This enormous response indicated general discontent with English as the language of legislation, highlighting the need for language transition.

Prompt 7. Urdu is appropriate as the language of the courts

94% agreed that Urdu was the most appropriate language for courtrooms and legal processes. This indicated a strong desire to use Urdu as the official legal language, enabling more inclusive and recognizable legal processes.

Prompt 8. English positively affects the public view of the judiciary

60% of respondents disagreed, suggesting that English used in the judiciary failed to boost the confidence of the public. This implied an increasing sense that English established a barrier between the judiciary and the rest of the population.

Prompt 9. English negatively affects public perception of the judiciary

67% agreed that English harmed public opinion, demonstrating how language difficulties diminished faith in legal systems.

Prompt 10. Urdu positively affects public perception of the judiciary

A solid 87% agreed that Urdu improved public confidence and knowledge of the court.

This pointed to the notion that legal communication in Urdu strengthened clarity and trust among individuals.

Prompt 11. Urdu negatively affects the public perception of the judiciary

A sizable 75% disagreed, inferred that Urdu did not harm prevalent experiences of the legal system. Instead, Urdu was considered a connection between the people and the judicial system.

Prompt 12. English should be used as a linguistic capital to provide access to justice

75% disagreed, indicating that English could be considered an effective language to expand access to justice. The findings pointed out the discriminatory character of English in legal situations.

Prompt 13. Urdu should be used as a linguistic capital for seeking justice

88% of participants agreed that Urdu should be employed as the linguistic capital, reflecting substantial support for linguistic shifts within the judicial system.

Conclusion

The thorough examination of the 13 study statements illustrated a perpetual and notable inclination for Urdu as the language of power in Pakistan's judicial system. The findings highlighted the crucial role of language in determining access to justice, legal discourse, and public perception of the legal system. The data gathered reflected the everyday lives of litigants, lawyers, and laypeople, suggesting how language shaped legal experiences and consequences.

The earlier statements indicated that the use of English in court procedures raised significant obstacles to justice. The huge number of respondents agreed that English created obstacles for them in accessing justice and legal comprehension, especially for

those who were unable to speak the language. Many participants highlighted that English affected the quality of legal communication for them. It became obvious that a person who is unable to comprehend legal matters, the capability to speak for their rights decreases, consequently leading to unfairness and injustice. Such communication divisions and gaps were mostly seen among remote people who have low educational attachments and are mostly affected by linguistic hurdles. Additionally, the research data indicated that English proficiency was highly regarded as a tool to improve and maximize access to justice, while no competency can divide society into different social groups, resulting in the exclusion of local languages and communities.

Some respondents agreed that English competency could help them in negotiating legal matters and their general sentiments. But such privileges could be obtained by those who did not speak English efficiently and fluently. They faced linguistic discrimination. This emphasized the dire need to improve linguistic policies to help the majority of the speakers who are reluctant to use the English language. Whereas, there were maximum responses that showed the acceptance of Urdu in providing facilitation in access to justice for a layman. Many participants stressed and reported that Urdu as a linguistic capital helps them in legal correspondence in enabling them to completely understand and be involved in the legal matters. The data also represented the accessibility and feasibility provided to them by the use of Urdu, which were noted as vital for free and fair trials of the public. This indicated a collaboration towards Urdu comprehension as a more feasible language used for legal discourse in Pakistan.

The findings of the research data also illustrated that the public showed trust in the courts concerning the use of the Urdu language. But some responses showed that the use of the English language determined a positive attitude towards the judiciary. This has been seen as a symbol of exclusion. Overall, the Urdu language has been considered a primary language in building public trust and confidence for Pakistanis. It was forced that the usage of the Urdu language improved inclusivity and transparency within the legal bodies, which strengthened and boosted the legitimacy of legal structures. More importantly, the statistics showed a preference for the use of the Urdu language as the official language of legal matters. The majority of the participants denied the use of English as the official language for judicial presidents. Urdu is more appropriate and preferable to show the comprehension of information by legal professionals. Urdu

seemed to be closely linked with the linguistic demands of the public and helping the speakers to get involved in the legal matters.

The final notions of all linguistic capital highlighted firm acknowledgement of Urdu as the linguistic capital in the judicial settings. While English was once considered a sign of status, the majority of the participants currently think Urdu is the language that can truly improve justice and inclusion in the legal system. The reinforcement for Urdu as linguistic capital reflects a broad desire for reforms in institutions that promote fair access to justice.

In conclusion, the study demonstrated that English's dominance in Pakistan's legal system prevented access to justice and legal communication for a major portion of the population. As a result, the use of Urdu as an essential legal language was actively advocated since it would improve comprehension, justice, and public trust. These findings urged a linguistic transformation in legal systems, ensuring that language contributes, not hinders, the administration of justice.

5.1.3 Analysis of Participant's Behavior

The study's respondents' behavior and response patterns are reflective of Pakistan's larger sociolinguistic and socio-legal contexts. There are lots of overlapping aspects that contribute to the massively favorable perception of Urdu as a more acceptable and adaptable legal language and the relatively adverse perception of English as a barrier.

1. Cognitive Integration and Linguistic Comfort

Given Urdu is the language individuals are familiar with and employ on an everyday basis, most participants opted for it. In the realm of law, mutual confidence and comprehension are driven by cognitive comfort and emotional acquaintance. Given that most Pakistanis do not speak English well, they are likely to view English-based legal processes as stressful, ambiguous, and incomprehensible. This is in accordance with theories of communication-based cognition and linguistic generalization, which hold that people choose systems that are correlated with their language proficiency. Because Urdu increases clarity, decreases anxiety, and encourages confidence in legal communications, respondents recommended it.

2. Social Disparity and Associated Power Dynamics

English's symbolic affiliation with elite status, colonial heritage, and dominance is linked to the respondents' propensity to have reservations about the value of the language. Only a privileged minority is able to participate completely in legal proceedings due to the linguistic surveillance function of English. Therefore, an impression of systemic inequality and marginalization is the fundamental reason of negative attitudes toward English. Respondents feel that English benefits unjustly educated elites and legal practitioners and extends the class divide.

3. Real-Time Legal Procedure Experience

Several individuals have either come across or witnessed legal struggles where a lack of coordination leads to misconceptions, holdups, and dependency on third parties (legal representatives or court personnel). The responses they give are not based on theoretical speculation, but rather on actual encounters with linguistic barriers. People prefer firsthand comprehension over second-hand translation, which is the reason why they prefer Urdu.

4. Judicial impartiality and public trust

Concerns about the credibility, transparency, and integrity of the judiciary are reflected in the overwhelming support for Urdu and the idea that English has an adverse effect on the general population. People view the legal system as obscure, alien, and probably partial when they are unable to fully understand its language. Participants relate the use of Urdu in court proceedings to legitimacy, equality, and accessibility.

5. National Attitude and Cultural Identification

Cultural identity and nationalism also play a role in respondents' promotion of Urdu as the official legal language. Pakistan's national language, Urdu, has sentimental and cultural significance. Selecting Urdu is both rational and ideological—a position in favor of linguistic sovereignty and regard for culture. Urdu adoption originates from the denial of inherited oppressive linguistic systems and an understanding of national identity.

6. Social and Economic Standing and Education

The results of the statistical analysis disclosed significant trends in education, income, and involvement with official resources, but only small variations in gender and place of residence. Due to linguistic fragility and inadequate knowledge of English, participants with lower incomes and less education expressed greater support for Urdu. Even participants with an English education acknowledged the disparities caused by English supremacy, demonstrating an essential understanding of structural difficulties.

5.2 Constitutional Mandatory Requirement for Urdu in Pakistan

Article 251 of Pakistan's Constitution (1973) primarily declared that Urdu is the country's national language. This mandate stressed the need to reaffirm Urdu as an anchor of unity among Pakistan's diverse people. It stated that Urdu is the national language of Pakistan and arrangements must have been made to elevate its status to that of an official language, which should be used for other functions within 15 years from the date of the ruling. It highlighted that the government and authorities have a statutory responsibility to establish Urdu as the official language for all correspondence after 1988; until that time, English might be used as an official language. However, such changes have been continually delayed, and English remains in use across all domains, including executive, legal, and education.

The main subject of Article 251(2) was the designation of Urdu as both a national and an official language. It also emphasized the preservation and maintenance of all provincial spoken dialects, fostering their growth and relevance to the use of the Urdu language. Although there is linguistic diversity in Pakistan, these statements indicate an inclusive approach, with Urdu functioning as a fundamental vehicle for linguistic representation at the state level. The constitutional requirements also demand that all legislation, legal procedures, official correspondence, circulars, and educational curricula must be translated and interpreted into Urdu to facilitate access for the public. This is critical for guaranteeing that individuals have comparable rights to justice, government, and education without confronting linguistic hurdles. The mandate seeks to remove the colonial impact of English domination, which has historically hindered the majority of the population's access to power mechanisms and institutions.

Interestingly, despite the constitutional instructions, the use of Urdu in official and legal proceedings has been haphazard. The Supreme Court's 2015 decision reiterated

this constitutional responsibility, instructing the government to utilize Urdu in official correspondence, legal procedures, and public services. The court highlighted that a refusal to adopt Urdu threatens constitutional rights and perpetuates societal injustices, especially in the legal system.

5.2.1 Gist of 2015 Supreme Court's Ruling

Presenting the ruling on the appeal submitted by Advocate Kokab Iqbal, concerning the promotion and enforcement of the Urdu language, a three-member jury headed by Chief Justice Jawad S Khawaja ordered the government to fulfil its statutory obligations. Chief Justice said that during the management of the federal and provincial governments, there is barely any reason for the use of the language of slavery, which is incomprehensible to the public at large.

Even for many government servants and public representatives, who may have picked up schooling in English, this language would most likely not be the most preferred by them. It went on to point out that many representatives are consequently obliged to invest time in seeking to make and implement decisions in a language with which they are not completely comfortable. The effort so spent is highly ineffective because most of the energy is spent interpreting the language of the recording (which could have been simply generated using Urdu) rather than examining its subject matter or component. This unnecessary practice at times leads to naive and hilarious consequences, which would be completely avoidable by the use of the National language, the Supreme Court's ruling declared.

The panel of judges has asked both the federal and provincial governments to make careful adherence to the duration set in court for the adoption of Urdu as the official language. The ruling is additionally applicable to the federal and provincial governments' administrative and regulatory departments. The court directed those copies of this judgment be made available to all federal and provincial secretaries, who must take quick initiatives to implement Article 251 following Article 5 of the Constitution. The court also directed that the relevant federal and provincial secretaries present reports confirming adherence to the aforementioned instructions. The first progress update should be lodged with the court within three months.

In an important milestone for the promotion of Urdu language, the Supreme Court of Pakistan received notice on July 11 that the federal government had published an

executive order demanding official representatives, which might involve the President, Prime Minister, federal ministers, and several others, give speeches in Urdu at events on a national and international scale. The initiative was intended to consolidate Urdu's position as the national language and promote its widespread adoption in government correspondence.

Furthermore, the Secretary of Media and Information gave an interim report to the court. The strategy outlined forth important objectives for establishing Urdu as the national language. One of the primary directives demanded that government ministries convert their regulations and guidelines into Urdu within three months. Meanwhile, it had been decided that all government and semi-government documents would be prepared in Urdu. To promote convenience and understanding for the general public, significant public areas, including courts, police stations, hospitals, parks, educational establishments, and financial institutions, were directed to place information signs in both Urdu and English.

Finally, important official papers such as utility invoices, passports, driving permits, and documentation from offices like the Auditor General, Accountant General of Pakistan Revenue, as well as the Election Commission of Pakistan, had to be published in Urdu. This effort is envisioned to promote inclusion and understanding for the general public.

The Researcher's View on the Rulings of the Supreme Court

The researcher found a continuous delay in the implementation of even these short-term measures addressed by the Supreme Court of Pakistan. Hence, there is a breach of justice, and the majority of the population finds the legal system of Pakistan fragile and dysfunctional in supplying fair access to justice. If the Supreme Court is unsuccessful in implementing its own decisions, then how can other public benefit verdicts be enforced immediately?

5.3 Demand for Urdu as a Linguistic Capital in Access to Justice

The notion of linguistic capital stands out concerning a language's worth in communication, financial viability, and legal accessibility requirements. Urdu, Pakistan's official language, can act as an imposing linguistic capital in these venues, especially considering that more than half of the population prefers Urdu to English.

Transparency and Justice

The utilization of English in judicial interventions, while necessary for global interaction and some official bodies, is a barrier to justice for the majority of Pakistani citizens. Most citizens, particularly educated persons, suffer from legal English, creating a barrier to comprehending their rights and maneuvering the legal system. This disparity causes legal processes to be delayed or unavailable, impacting both the general public and those in the field of law. By adopting Urdu as the predominant language in the legal system, more individuals would be empowered to understand their rights and participate properly in judicial procedures.

Instructing the Population in Urdu Medium

Even the university graduates who are not competent in English find difficulties with the language in the legal arena. Many educated individuals, and even those with poor literacy levels, consider it difficult to understand legal language in English. When laws and proceedings are enforced in a language that a significant proportion of the public does not understand, justice is delayed, and the public's capacity for full compliance with their rights and obligations is curtailed.

Linguistic Belonging and National Identity

The influence of Urdu on the nation's judicial system extends beyond merely functional advantages. Language is fundamentally associated with national identity and pride. Every nation has historically powerful and maintained its legal, economic, and artistic structures in its language. Countries such as Japan, Germany, and France, for example, continue to use their native languages in their legal systems, and this has not damaged their worldwide status; rather, it has increased their cultural strength and self-assurance.

A More Accessible Legal System

Introducing Urdu as the principal legal language will make the legal system more accessible and its processes more understandable to the masses. This might lead to enhanced faith in the justice system, as citizens would feel more in touch with it. The language of rules and regulations, if it is in the national language, will accurately reflect the ideals and requirements of the majority rather than an elite, those who speak English, a minority.

International Image Contrary to National Welfare

While English might portray a sense of sophistication or international context, it doesn't ensure legal or economic success. A country that strengthens its citizens through accessible mechanisms, such as legal processes in the national language, may convey a sense of authority and inclusion. Global dimensions are often determined by the quality of a country's legal architecture and how well it satisfies its population, rather than the language in which laws are established. To summarize, developing Urdu as a language capital for the legal system will benefit a significant proportion of individuals while strengthening national identity, improving legal convenience, and inevitably contributing to economic and social success.

5.4 Policy Suggestions for Legal Language Improvement in Pakistan: Employing Bourdieu's Theory

Pierre Bourdieu's view of linguistic capital shows language's role as a tool of power and exclusion in social contexts, including the legal system. In Pakistan, the prevailing use of English legal language poses difficulties for the majority of individuals, expands social gaps, and restricts access to justice. To overcome these difficulties, adaptation to language is required to make legal procedures more inclusive, welcoming, and accessible to all individuals. The following policy ideas, based on Bourdieu's theory, seek to empower linguistic capital in Pakistan's judicial system.

1. Official Acceptance and Inclusion of Urdu Language in Legal Proceedings

Problem

Pakistan is a nation with multiple languages; however, court procedures, paperwork, and legislation are primarily in English, making it challenging for litigants, plaintiffs, and some legal professionals to fully understand and engage in the legal process.

Suggestions

- Enable judicial processes in national languages to reflect the population's linguistic diversity.
- Appoint court language interpreters and translators for plaintiffs who do not speak English proficiently.

- Permit formal legal documents (e.g., FIRs, witness statements, and settlements) to be prepared in Urdu.

Justification through Bourdieu's Theory

According to Bourdieu (1991), the dominant language in legal situations acts as a barrier to exercising rights for individuals who lack linguistic capital. Allowing indigenous languages in judicial proceedings would eliminate these linguistic obstacles, enabling the general public to navigate the legal system more effectively.

2. Minimizing the Problems Arising from Legal Language

Problem

Complex legal language renders laws, agreements, and court orders difficult to comprehend, even for individuals fluent in both English and Urdu.

Suggestions

- Rewrite legal documents in simplified Urdu, reducing complicated terminology to make laws and procedures clear for the general populace.
- Require judges and barristers to use plain language during court sessions to empower litigants to understand their rights and responsibilities.
- Provide entries in a legal dictionary that explain complicated legal terminology in Urdu.

Justification through Bourdieu's Theory

Bourdieu (1991) highlighted that legal expression serves as a form of symbolic power utilized by the elite to maintain their dominance over institutions. Simplifying legal language ensures that linguistic capital is distributed more equitably, preventing legal experts from wielding disproportionate influence over ordinary citizens.

3. Language Inclusion in the Legal System

Problem

English predominates in Pakistan's legal system, disadvantaging those who do not possess a background in English; consequently, this language privileges the elite class.

Suggestions

- Establish bilingual legal education programs in universities and colleges, enabling students to grasp legal principles in both Urdu and English.
- It is essential for legal researchers to have opportunities to compose their research, theses, and articles in Urdu, thereby fostering more knowledge production in the legal field.

Justification through Bourdieu's Theory

Pierre Bourdieu (1991) stressed that the domain of education benefits in the production of linguistic capital, where the predominant language is used. It is important to make legal education linguistically supportive for the law students who belong to different socioeconomic backgrounds. Such linguistically diverse people can benefit from the use of Urdu.

4. Reformatations in the legal structure for linguistic accessibility

Problem

In the legal system of Pakistan, legal experts like judges, lawyers, and the legal administration frequently communicate in English or in highly sophisticated Urdu, which results in the unavailability and inaccessibility of legal processes to the population.

Suggestions

- The judges, lawyers, and the court staff need to use the national language, Urdu, in every judicial proceeding irrespective of dealing with the rich or the poor class.
- Judicial decisions should be translated into the Urdu language for the better understanding of the citizens.
- Introduction of bilingual legal documents like petitions, affidavits, and agreements.

Justification through Bourdieu's Theory

Establishing a public legal support system in the Urdu language provides quality assurance in access to justice through flexible legal communication for marginalized people who have poor communication skills. Pierre Bourdieu suggests that the function of legal bodies is to maintain justice and power through proper legal channels (Grenfell,

2011). The justice system needs to become more inclusive to strengthen its legitimacy and give equal and fair justice to people.

5.5 Conclusion of the Study

This study is intended to critically analyze the use of language as a form of linguistic capital in Pakistan's legal system, with a special emphasis on the functions and effects of both English and Urdu in courtroom communication. The study, based on the theoretical structure of Pierre Bourdieu's idea of linguistic capital, examined how language affects, restricts, or allows access to justice for people depending on their socio-linguistic context. It addressed the long-term impacts of colonial language policy and the persistent dependency on English in court procedures, although a large proportion of citizens can converse in Urdu more proficiently.

Data was extracted using a quantitative methodology, with a closed-ended questionnaire provided to 50 lawyers and 50 litigants in the district courts of Rawalpindi, with a balanced representation of male and female respondents. The outcomes of this extensive demographic sample demonstrated an evident and persistent pattern of action: both lawyers and common litigants have problems in communication when legal proceedings are carried out in English. While lawyers tend to be more fluent in English, many remarked that it impedes communication with clients and slows litigation. The litigants entirely acknowledged that legal terms in English were obscure, unreachable, and alienating. Each group strongly favored greater utilization of Urdu to foster transparency in the law, involvement, and impartiality.

The statistical investigation reinforced these assumptions. The mean values revealed that the respondents consider English restricts access to legal data, inhibits court processes, and creates a sociolinguistic separation between the judiciary and those whom it is supposed to serve. Respondents suggested that Urdu would be a more successful and fair means of legal connection in Pakistan. The statistics additionally highlighted impacts that implementing English favors a particular group while effectively eliminating others from being fully involved in the court system. In this manner, English becomes a form of language capital that aids those who already possess power while consolidating social and economic injustices.

The study illustrated that language plays a significant role in either facilitating or hindering justice. English, as Pakistan's noticeable legal language, acts as an inhibitor

to general comprehension as well as accessibility to the legal system. In contrast, respondents regarded Urdu as a medium for linguistic democratization—a readily accessible, culturally anchored, and generally accepted language that could overcome the language barriers between the judiciary and ordinary people. The implementation of Urdu in the legal system is thus more than just a language selection; it is a necessary adaptation to ensure that justice is accessible, inclusive, and impartial.

Moreover, this research validates Bourdieu's claim that linguistic capital is a socially constructed resource that decides who gets to speak, who gets to participate, and who is eliminated. The support for English in Pakistan's legal arena continues to unfairly distribute symbolic power, raising obstructions to not only communication but also entitlements, participation, and justice. Recognizing Urdu as a legitimate tongue of the courts would signal an initiative toward linguistic accessibility, helping those who have long been sidelined in the judicial environment.

Taking into account these findings, this research supports substantial legal and policy modifications. Legal education should include both English and Urdu to promote bilingualism among legal professionals and judges until the current legalese changes to the Urdu language of law. Court documents and legal paperwork should be available in both languages. Public awareness initiatives and simpler legal texts in Urdu have the capacity to substantially enhance citizens' understanding of law and competence.

Finally, the research contributed significantly to the expanding discussion on language and justice in multilingual communities. It revealed that language is more than just an expression of law; it additionally influences legal competence. For equitable access to justice in Pakistan, fundamental changes in the legal system must be accompanied by a thorough reconsideration of the language required to administer justice. This study underlined the significance of raising Urdu from an emblematic national language to a functional legal language, ensuring greater equality, inclusiveness, and constitutional involvement in Pakistan's legal system.

5.6 Implications of the Research

- Effective ramifications for Legal Professionals and Participants in litigation

The outcomes of the study have crucial implications for litigants and practitioners in Pakistan's judicial system. The research has shown that the enduring nature of

English's dominance in legislation and courts hampers the comprehension and engagement of litigants who do not speak the language. This impedes their productive access to justice and result in uncertainty, delayed judgments, and procedural misconceptions. So, the study indicates that Urdu should be used as a replacement or supplementary language in the legal proceedings, declarations, and drafted rulings by judges, attorneys, and administrative personnel.

- **Prospects for Language Planning and Legal Policy**

The need for substantial legal reform of the language in Pakistan has been demonstrated concretely by this study. The results affirm the 1973 Pakistani Constitution's Article 251 rule, which calls for Urdu to be adopted as the official language and declared as the country's national language. English nevertheless rules the legal field following the Supreme Court's 2015 decision imposing the use of Urdu in official correspondence. Thus, this study indicates lawmakers and legislators must promptly integrate Urdu in court functions through the adoption of a progressive language implementation strategy. In order to ensure that the statutory guarantee for equitable access to justice is observed in reality rather than just in abstract terms, this should be given the highest level of importance.

- **Relevance for Theory and Sociolinguistics**

The present research formally applies Pierre Bourdieu's notion of linguistic capital to Pakistani law. It illustrates how English operates as a symbol of power that grants the educated elite benefits whilst restricting non-native English speakers' equivalent treatment in the justice system. The results reveal that language dictates legitimacy, power, and social strata within the system of law, acting as a mediator and obstruction. By explicitly linking language inequality with legal disparities, this comprehension strengthens the field of sociolinguistics by proving the intricate connection between linguistic equity as well as accessibility to justice.

- **Impacts for Rural and Socioeconomic accessibility to Justice**

The individuals in the study who lived in remote regions and had lower incomes were more in favor of Urdu being employed as a medium of judicial proceedings. The study points out that socioeconomic disparities already established are made even greater by language barriers. The adoption of Urdu would make legal processes readily

available to deprived and remote populations, promising active involvement and equal consideration. Consequently, implementing language reform in the law should be regarded as an equity remedy that fosters social equality and minimizes disparities between classes within legal accessibility in addition to being a linguistic matter.

- **Influence on Judicial Legitimacy and Public Trust**

The research findings additionally revealed that while the predominance of English has been viewed as exclusive and isolating, the adoption of Urdu in the legal framework has a positive impact on the general public's view of the justice system. This shows that by enabling the legal system seem more accessible, trustworthy, and reflective of the people, implementing Urdu could increase the public's confidence and trust in it. Since the language of the legal system should be utilized by the people it is meant for, integrating Urdu may enhance the credibility of the judiciary and raise public obedience to court orders.

5.7 Recommendations for Future Research

1) Taking the study's limitations into account, future researchers can expand the geographical scope of respondents to include other regions of Pakistan. This approach will assist investigators in identifying additional linguistic challenges and circumstances encountered by individuals in various socioeconomic contexts. Increasing the sample size will ensure a more valid representation of diverse age groups, financial backgrounds, and academic levels. Consequently, this will enhance the validity and universality of the findings from similar studies.

2) Future researchers could incorporate qualitative methods, such as in-depth interviews and focus group discussions, alongside quantitative surveys and interviews. This will illuminate the legal challenges faced by participants. Such methodologies and research designs are beneficial in uncovering the impact of language on marginalized groups and remote communities in terms of access to justice.

3) Moreover, researchers should investigate the local dialects used in the legal system, particularly in remote areas where such languages are commonly spoken. This exploration will yield further details and insights into accessing justice across different linguistic landscapes. Additionally, longitudinal studies would be highly advantageous within this legal domain, emphasizing the need for researchers to track shifts in

linguistic preferences regarding access to justice over centuries, especially during reforms and changes in legal systems.

4) Various strategies should be employed to reduce gaps in information and data in forthcoming studies, utilizing inquiry and other techniques in data collection. The focus should be on examining the effects of reforms aimed at promoting the use of the Urdu language in legal settings and contexts. This approach would also minimize linguistic barriers and improve access to justice.

5) The views and perspectives of legal communities, such as judges and court administrators, should be explored concerning the use of English and Urdu within the legal environment. Understanding their reservations and concerns regarding linguistic issues will aid researchers in developing more effective linguistic policies within legal frameworks.

6) By addressing and formulating such issues and challenges in future studies, researchers could provide a more comprehensive understanding of linguistic capital in access to justice within the jurisdiction of Pakistan's legal system. This could significantly enhance policy improvements and reforms.

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Questionnaire



National University of Modern Languages, Islamabad

Questionnaire for MPhil Study on

“Language as a Linguistic Capital

in Access to Justice: A Study of

English and Urdu in the Legal System

of Pakistan”

Name: -----

Age: (tick one)

- 19-29
- 30-39
- 40-49
- 50-59
- 60 and above

Gender (tick one) male/female

Residence (tick one) Rural/Urban

Daily income (in dollars):

- Less than 10 dollars
- 10-20 dollars
- More than 20 dollars

Tick in one box that you think is suitable and relevant/true according to your knowledge and experiences regarding the information given.

Keys: **SD**= Strongly Disagree, **D**= Disagree, **U**= Undecided, **A**= Agree, **SA**= Strongly Agree

Linguistic Capital: An individual's command over language, which includes their mastery of vocabulary, pronunciation, grammar, and discourse norms and conventions.

Litigant: A person who is involved in or taking part in a legal case in the legal system.

	SD	D	U	A	SA
The use of English affects the access to justice in the legal system of Pakistan					
The use of English affects the quality of legal communication for litigants					
The use of English affects the quality of legal communication for lawyers					
Proficiency in the English language assists/helps in getting access to justice in the legal system of Pakistan					
Proficiency in the Urdu language assists/helps in getting access to justice in the legal system of Pakistan					

English is suitable as the language of the courts and legal system of Pakistan					
Urdu is suitable as the language of the courts and legal system of Pakistan					
The use of English positively affects the public perception of the judiciary and the legal system in Pakistan					
The use of English negatively affects the public perception of the judiciary and the legal system in Pakistan					
The use of Urdu positively affects the public perception of the judiciary and the legal system in Pakistan					
The use of Urdu negatively affects the public perception of the judiciary and the legal system in Pakistan					
English should be used as a linguistic capital in the access to justice in the Pakistani legal system					
Urdu should be used as a linguistic capital in the access to justice in the Pakistani legal system					

استفسار نامہ

میں "انصاف تک رسائی میں لسانی سرمائے کے طور پر زبان: پاکستان کے قانونی نظام میں انگریزی اور اردو کا مطالعہ" پر تحقیق کر رہی ہوں۔ یہ سوالنامہ تحقیق کا حصہ ہے۔ میں اس ایم فل تحقیقی سوالنامے میں آپ کی شرکت پر آپ کا شکر گزار ہوں گی۔ آپ کی فراہم کردہ معلومات کو خفیہ رکھا جائے گا۔

نام -----

عمر -----

19---- 29

30---- 39

40---- 49

50---- 59

60 یا اس سے زائد

صنف: عورت/ مرد

رہائش: شہری/ دیہی

یومیہ آمدنی: (ڈالرز میں)

10 ڈالرز سے کم

10 سے 20 ڈالرز

20 ڈالرز سے زائد

مندرجہ ذیل معلومات کو آپ اپنے علم اور تجربات کے مطابق ایک باکس میں ٹک کریں - جو آپ کے خیال میں مناسب اور متعلقہ / سچ ہے -

مدعی: (وہ شخص جو عدالتی کارروائی میں شامل ہو/ وہ شخص جو عدالت میں اپنا کیس دائر کرواے۔)

لسانی سرمائے سے مراد کسی شخص کا ایک زبان کو بولنے، سننے، پڑھنے اور لکھنے پر مکمل عبور رکھنا۔

مکمل متفق	متفق	غیر فیصلہ کن	غیر متفق	مکمل غیر متفق	
					انگریزی کا استعمال پاکستان کے قانونی نظام میں انصاف تک رسائی کو متاثر کرتا ہے۔
					انگریزی کا استعمال مدعی کے لئے قانونی مواصلات کے معیار کو متاثر کرتا ہے۔
					انگریزی کا استعمال وکلاء کے لئے قانونی مواصلات کے معیار کو متاثر کرتا ہے۔
					انگریزی زبان میں مہارت پاکستان کے قانونی نظام میں انصاف تک رسائی حاصل کرنے میں مدد کرتی ہے۔
					اردو زبان میں مہارت پاکستان کے قانونی نظام میں انصاف تک رسائی حاصل کرنے میں مدد کرتی ہے۔
					انگریزی پاکستان کی عدالتوں اور قانونی نظام کی زبان کے طور پر موزوں ہے۔
					اردو پاکستان کے قانونی نظام میں عدالتوں کی زبان کے طور پر موزوں ہے۔
					انگریزی کا استعمال پاکستان میں عدلیہ اور قانونی نظام کے بارے میں عوامی تاثر کو مثبت طور پر متاثر کرتا ہے۔

					انگریزی کا استعمال پاکستان میں عدلیہ اور قانونی نظام کے بارے میں عوام کے تاثر کو منفی طور پر متاثر کرتا ہے۔
					اردو کے استعمال سے پاکستان میں عدلیہ اور قانونی نظام کے بارے میں عوامی تاثر پر مثبت اثرات مرتب ہوتے ہیں۔
					اردو کے استعمال سے پاکستان میں عدلیہ اور قانونی نظام کے بارے میں عوام کے تاثر پر منفی اثرات مرتب ہوتے ہیں۔
					پاکستانی قانونی نظام میں انصاف تک رسائی میں انگریزی کو لسانی سرمائے کے طور پر استعمال کیا جائے۔
					پاکستان کے قانونی نظام میں انصاف تک رسائی کے لیے اردو کو لسانی سرمائے کے طور پر استعمال کیا جائے۔