Linguistic Expressions of Conditions of Chinese Legislative Provisions: A Register Grammar Perspective

Daohua Hu
Shanghai University of Political Science and Law, Shanghai, China

Abstract — There is difference in the distribution of grammar phenomena in different registers. This paper has carried out a comprehensive study of the linguistic expressions of Conditions in Chinese legislative provisions. In legislative provisions, the Conditions are usually used to indicate the preconditions or circumstances for the legal norm, which are referred to as hypothetical conditions in this paper. In contrast, the clauses introduced by the words dan ‘but’ or danshi ‘but/however’ are called danshus ‘provisos’. Danshus are always positioned after the main clauses, so they are called post-conditions. Legal norms can be categorized into authorization norms, obligatory norms, and compound norms. As special legal norms, danshus can also be categorized into authorization, obligatory and exclusionary danshus respectively. Through a corpus-based analysis of conditions of Chinese legislative provisions, this study has concluded that: i) hypothetical conditions are always expressed by de-constructions; ii) post-conditions are always expressed by danshus, including exclusionary danshus, obligatory danshus and authorization danshus respectively; iii) the use of danshus in Chinese legislative provisions are less than 7% of the total clause numbers; and iv) the co-occurrence of hypothetical conditions and post-conditions are less than 3% of the total clause numbers. Suggestions for future legislation and amendments: First, more danshus should be used; Second, the use of de-constructions should be more standardized; and Third, the co-occurrence of de-constructions and danshus should be increased.

Index Terms — legislative provisions, hypothetical conditions, post-conditions, linguistic expressions, register grammar

I. INTRODUCTION

From the register grammar perspective, there is difference in the distribution of grammar phenomena in different registers, and so does the applicability of grammar rules. Zhang (2005) asserts that different registers have different grammars, and Zhang (2007) emphasizes the consciousness of register in grammar research and concludes that ‘looking for the right examples from the right register, and explaining the examples reasonably in the right register’ (p. 8). Tao (1999) advocates that register-centered grammar research is of great significance, and it should be a basic starting point of linguistic research in the future. Feng and Shi (2018) summarize the systematization of register grammar from different linguistic levels. This paper has carried out a comprehensive study of the linguistic expressions of Conditions in Chinese legislative provisions.

In terms of legislative technology, in order to enhance the economy and normativity of legal texts, the legislative provisions need to adopt formulaic sentence patterns (Chen, 2004a). The sentence patterns, sentence types and syntactic structure of legal texts are subject to the logical structure and meaning of legislative provisions, and it is only by combining these aspects that we can break through the dilemma that little is known about the legislative sentences (Pan, 2017).

II. LITERATURE REVIEW

A. Hypothetical Conditions of Legislative Provisions

In natural language, conditional sentence generally consists of two parts, conditional clause and result clause, and are usually referred to as hypothetical compound sentences.

In order to adapt to the characteristics of Chinese legislative provisions, the conditional clauses are often condensed into de-constructions to express complex meaning relationships (Sun & Zhou, 1997). There are many studies on de-constructions in Mandarin Chinese, for example Zhu (1983) argues that de-construction can be used in the sense of zizhi ‘self-referring’ or zhuanzhi ‘transferred-referring’ (pp. 17-19). In Chinese legislative provisions, Yu (1990), Sun and Zhou (1997), Wang (1997), Liu (2003; 2007), Chen (2004a; 2004b) focus on the linguistic characteristics of de-constructions, and consider the Chinese character de as structural particles, and the de-constructions can be used in
hypothetical contexts.

Some other studies argue that the misuse of de-constructions in Chinese legislative provisions, such as Zhou (2002), Yin and Yin (2020) and the abuse of de-constructions, and de should be deleted or altered (Zhang, 2015).

What’s more, the Chinese character de can be considered to be conditional marker in Chinese legislative provisions, such as Dong (2012), and Hu (2022). The conditions preceding the legal Subject in legislative provisions are usually used to indicate the preconditions, conditions or circumstances under which the legal norms are to be applied, and they are referred to as hypothetical conditions in this study.

B. Post Conditions in Legislative Provisions

Adversative clauses are one of the general types in natural languages, and they indicate the semantic relations between two clauses. In Chinese, adversative clauses can be marked by direct markers of dan/que ‘but’ or indirect markers of suiran ‘although’ (Xing, 1992, p. 81).

In legislative provisions, the clauses introduced by the words dan ‘but’ or danshi ‘but/however’ are called danshus ‘provisos’, which are special norms which provide for exceptions, limitations, additions, etc. to the main clauses (Zhou, 1991, p. 56), and they are referred to as post-conditions because of their position after the main clauses. The CONDITIONS of legislative provisions discussed in this study include both hypothetical conditions and post-conditions.

C. Logical Structure of Legislative Provisions

The language of law refers to the national language that is used in all legal activities (including legislative, judicial, administrative activities and scientific interpretation of laws) (Pan, 2020, p. 2). George Coode (1843), in his paper ‘On Legislative Expression, or the Language of the Written Law’, points out that legislative provisions are generally composed of four elements, namely legal Subject, legal Action, the Case and the Conditions. (cited in Doonan & Foster, 2001, pp. 142-143). Li (2008) argues that there is no essential difference between the Case and the Condition, so George Coode’s legal sentence pattern can be reduced to ‘Condition + legal Subject + legal Action’ (p. 77). In China, Pan (2017) proposes two logical models for legislative sentences: i) Condition + legal Subject + legal Action, and ii) Condition + Subject + Action + Sanction. The former is applicable to the sentence patterns of obligatory and authorization norms, while the latter is the standard format for those of Prohibitive norms. These two legislative sentence patterns can be merged into one: Condition + legal Subject + legal Action + (Sanction) (Hu & Jiang, 2017).

Crystal and Davy (1969) claims that most legal sentences have one of the following forms:

If X, then Y shall do Z,
or
If X, then Y shall be Z,
where ‘If X’ stands for the case(s) to which the rule of law applies, ‘Y’ stands for legal Subject, and ‘Z’ refers to legal Action (cited in Bhatia, 1993, p. 206).

From the analysis above, it can be seen that English and Chinese legislative provisions share the same elements of legislation: Condition, legal Subject, legal Action, and (Sanction).

III. METHODOLOGY

A. Analytical Framework

Specific sentence patterns are abundant in legislative provisions, and it is necessary to compare and analyse them in sufficient quantity to summarize the rules of their use, to analyse the motivation for their existence, and to further refine the rules for the use of specific sentences patterns. Although hypothetical conditions and post-conditions of legislative provisions are different in terms of sentence type, sentence patterns and positions in the provisions, they are both essentially the CONDITIONS to which the legislative provisions apply, therefore, they are included in the unified category of CONDITIONS in this study.

The study links the linguistic expressions of hypothetical conditions to their semantic classification (indicating legal Subject or the Circumstance or the Case), and the linguistic expressions of post-conditions to the classification of legal norms such as authorization norms, obligatory norms and prohibitive norms. The Corpus of Chinese Legal Conditions (CCLP) has been created for the systematic counting, description and analysis of the linguistic expressions of hypothetical conditions and post-conditions. Based on the motivation of the linguistic expressions, the rules for the linguistic expressions of hypothetical conditions and post-conditions are summarized. The analytical framework of this study is as follow in Table 1.
B. Research Questions

1) What are the linguistic expressions of hypothetical conditions?

In legislative provisions, hypothetical conditions can be expressed by means of hypothetical conjunctions ru guo ‘if’/where’, de-constructions, and hypothetical conjunctions in combination with de-constructions.

The questions about the linguistic expressions of hypothetical conditions are as follow:

i) what are the frequencies of the three linguistic expressions of hypothetical conditions?

ii) which hypothetical conjunctions are preferred in legislative provisions, and what are their stylistic, grammatical and semantic mechanisms? and

iii) what are the semantic and syntactic features of de-constructions in legislative provisions?

2) What are the linguistic expressions of post-conditions?

In legislative provisions, different post-conditions are expressed with typical expressions, for example, exclusionary danshus are always expressed by dan/danshi...chuwai etc., authorization danshus by dan/danshi...keyi etc., obligatory danshus by dan/danshi...yingdang etc., and Prohibitive danshus by dan/danshi...bude etc respectively.

The questions about the linguistic expressions of post-conditions are as follow:

i) what are the frequencies of linguistic expressions of post-conditions?

ii) what are the functions and uses of sentence pattern dans/danshi...in legislative provisions?

3) what are the interaction between hypothetical conditions and post-conditions?

In some legislative provisions, both hypothetical conditions and post-conditions are used.

Through qualitative and quantitative analysis, this study has looked into the interaction of hypothetical conditions and post-conditions, and the interactions of its linguistic expressions de-constructions and sentence pattern dan/danshi...

C. Description of Corpus

This study collects 100 pieces of the latest laws enacted by the National People’s Congress and its Standing Committee, covering eight legal departments. Thirty eight pieces of laws do not use danshus, and the remaining 62 pieces of laws are chosen to create CCLP, 7110 articles in total, with 841803 Chinese characters, 7512 de-constructions, and 481 danshus.

IV. Results and Discussions

A. Linguistic Expressions of Hypothetical Conditions

(a). Self-Referring and Transfered-Referring of De-Constructions

In CCLP, there are 7512 de-constructions, in which 6360 are used as self-referring and 1152 are transferred-referring.

Zhu (1983) argues that de-constructions can be used for self-referring and transferred-referring. The term transferred-referring means a major shift in meaning after nominalisation, from denoting the action to refer to the participant of the action. The term self-referring refers to the act itself, and the change in meaning is not as significant as in the case of transferred-referring. The distinction between self-referring and transferred-referring is whether to refer to a thing or a situation (Zhang, 2007), in other words, if de-constructions refer to the action itself, it functions as self-referring, and if they refer to the person involved in the action, it is transferred-referring. In legislative texts, de-constructions can also be used as self-referring and transferred-referring. For example:

(1a) 自然人下落不明满二年的，利害关系人可以向人民法院申请宣告该自然人为失踪人。《民法典》第40条

(1b) If a natural person’s whereabouts have been unknown for two years, an interested person may request the people’s court to declare the natural person as a missing person (Article 40 of Civil Code).
(2a) Violates the provisions of paragraph 88 of this law, the legal subject shall be subject to life imprisonment or imprisonment for a term of not more than RMB 500,000 (Article 195 of Securities Law).

In example (1a), de-construction indicates the situation where the whereabouts of a natural person are unknown for two years, and the de-construction is used as self-referring. In example (2a), the de-construction refers to the person who has performed the two acts by stating ‘violation of …‘ and ‘lending…‘ in which the de-construction is used as transferred-referencing.

Of the 7512 de-constructions in CCLP, 6360 (84.66%) are used as self-referencing and 1152 (15.34%) are used as transferred-referencing. Why is it that about 85% of the de-constructions are self-referencing and only 15% are transferred-referencing? Possible reasons are as follow:

Firstly, it may be related to the expression of specific legislative provisions. Zou (2008) argues that whether or not the sentence pattern you xia lie qing xing(xing weight) yi ‘One of the following circumstances (actions)…‘ is preceded by a subject depends on the need for expression. Generally speaking, specialized laws tend to use sentence patterns with a subject, such as the Teachers Law, the Civil Servants Law and the Banking Law, while non-specialized laws are not suitable for sentence patterns with a subject because the legal subject of the legal relationship is indefinite. A similar situation exists in de-constructions, when the legal subject is indefinite, the sentence pattern ‘NP + VP + de‘ is often used, and when the legal subject of the law needs to be clarified, the sentence pattern ‘NP + VP + de‘ is often used.

Secondly, from cognitive perspective, ‘Agent + Action + Object‘ is a cognitive framework (gestalt) (Shen, 1999, pp. 5-6). In the sentence pattern ‘NP + VP + de‘, both the agent (NP) and the action (VP) are present, which is a complete subject-predicate clause, usually indicating the self-referring of de-constructions. While in sentence pattern ‘VP + de‘, only the action (VP) is present, and the agent (NP) is not, in this case, the ‘VP + de‘ construction is usually used to refer to the person who performs the act, i.e. to the agent (NP) in transferred-referencing. For example:

(3a) 勾结外国，危害中华人民共和国的主权、领土完整和安全的，处无期徒刑或者十年以上有期徒刑。(《刑法》第 102 条第 1 款)

gou jie wai guo, wei hai zhong hua ren min gong he guo de zhu quan、ling tu wan zheng he an quan yi de, chu wu qi tu xing huo zhe shi nian yi shang you xia lie qing xing.

(b) Linguistic Expressions of De-Constructions

In CCLP, there are 7589 hypothetical conditions, of which 7423 (97.81%) are marked by de-constructions, 22 (0.29%) by hypothetical conjunctions ruguo ‘if/where’ plus de-constructions, 8 (0.11%) by the adverb fan/fanshi ‘any/whatever’ plus de-constructions; 67 (0.88%) by hypothetical conjunction ruguo ‘if/where’ and 10 by adverbs fan/fanshi ‘any/whatever’.

Based on the possibility of fulfillment of the hypothetical condition, hypothetical clauses can be semantically classified into four sub-types: possible hypothetical clauses, realistic hypothetical clauses, counterfactual hypothetical clauses, and subjunctive hypothetical clauses (Zhang & Ma, 2010). In legislative provisions, the hypothetical condition has a universal space-time nature, indicating that whoever commits the act described in the legislative provisions will enjoy the corresponding rights or be subject to the corresponding legal sanctions, and therefore it expresses the possible meaning in the real hypothetical clauses.


First of all, about 98% of hypothetical conditions in legislative provisions are expressed by de-constructions, why? The possible reasons are as follow: i) it may be attributed to the characteristics of Chinese language, where de-constructions can be used as noun phrases and are widely used; ii) it is influenced by the traditional Chinese laws,
where *zhe-constructions* are widely used in the traditional Chinese legislative provisions (Chen, 2004b), and the *de-constructions* are the substitute for the *zhe-constructions* (Yu, 1990); and iii) the post positioning of *de-constructions* in legislative provisions meets the need for the expression of hypothetical conditions. Dong (2003) argues that when *de-construction* is modifying the head word, then the complex noun phrase appears only in the context of the hypothetical.

Secondly, hypothetical conditions in CCLP are expressed by clauses introduced by hypothetical conjunction *ruguo* ‘if/where’ 67 instances (0.88%), and by hypothetical conjunction *ruguo* ‘if/where’ with *de-constructions* 22 instances (0.29%). For example:

(4a) 全国人民代表大会会议每年举行一次，由全国人民代表大会常务委员会召集。如果全国人民代表大会常务委员会认为必要，或者有五分之一以上的全国人民代表大会代表提议，可以临时召集全国人民代表大会会议。(Paragraph 1 of Article 61, Constitution).

(5a) 如果是国家财产、集体财产遭受损失的，人民检察院在提起公诉的时候，可以提起附带民事诉讼。(Paragraph 2 of Article 101, Criminal Law).

Example (4) is hypothetical condition clauses introduced by hypothetical conjunction *ruguo* ‘if/where’. The hypothetical conjunction *ruguo* ‘if/where’, when introducing a hypothetical condition, can be positioned either at the beginning of a clause or before a predicate. In example (5), the hypothetical clause is expressed by a combination of hypothetical conjunction plus the *de-construction*.

According to Zuo (2008), *ruguo* ‘if/where’ or similar words are the easiest to mark the hypothetical meaning, and the presence or absence of *ruguo* ‘if/where’ or similar words before *de-constructions* does not change the logical relationship expressed in the sentence (p. 14). However, the presence of *ruguo* ‘if/where’ or similar words before *de-constructions* emphasizes the hypothetical meaning, and the absence of *ruguo* ‘if/where’ or similar words does not (Zuo, 2008, p. 14). This is also true to *de-constructions* in legislative provisions.

Thirdly, in CCLP, 10(0.13%)of hypothetical conditions are expressed by clauses introduced by adverbials *fan/fanshi* ‘any/whatever’, and 8(0.11%)by the combination of adverbials *fan/fanshi* ‘any/whatever’ plus *de-constructions*. For examples:

(6a) 凡是伪造证据、隐匿证据或者毁灭证据的，无论属于何方，必须受法律追究。(Paragraph 4 of Article 54, Criminal Procedure Law).

(6b) Anyone who falsifies evidence, conceals evidence or destroys evidence, regardless of the party to which it belongs, must be prosecuted under the law (Paragraph 4 of Article 54, Criminal Procedure Law).
B. Linguistic Expressions of Post-Conditions

In CCLP, there are 481 danshus ‘provisos’ in total, accounting for only 6.77% of the total number of provisions. In terms of the sub-categories of danshus, there are 289 exclusionary danshus (242 exclusion of the cases, 10 exclusion of legal subjects and 37 exclusion of legal objects), 134 obligatory danshus (78 positive obligation and 56 negative obligation) and 64 authorization danshus (37 positive freedom and 27 negative freedom) in CCLP respectively.

(a). The Linguistic Expression of the Exclusionary Danshus

The main function of exclusionary danshus is to express exclusions and exceptions or negations to the provisions in the main clause of legislative provisions. There are three usages of exclusionary danshus, namely the exclusion of abstract provisions, the specific matters and the specific subjects (Liu, 2017). The above three usages of danshus correspond to the exclusionary danshus in this paper, namely the exclusion of the cases, legal objects and the legal subjects. The exclusionary danshus are usually expressed by sentence patterns dan/danshi… de chu wai ‘except as otherwise provided for…’ or dan/danshi… chu wai ‘however, except for…’, etc.

(7a) 信息披露义务人披露的信息应当同时向所有投资者披露，不得提前向任何单位和个人泄露。但是，法律、行政法规另有规定的除外。(《证券法》第83条第1款)

(7b) The information disclosed by the parties bound by disclosure obligation shall be disclosed simultaneously to all investors and shall not be disclosed in advance to any entity or individual, except as otherwise provided for in laws and administrative regulations (Paragraph 1 of Article 83, Securities Law).

(8a) 股东可以用货币出资，也可以用实物、知识产权、土地使用权等可以用货币估价并可以依法转让的非货币财产作价出资；但是，法律、行政法规规定不得作为出资的财产除外。(《公司法》第27条第1款)

(8b) Shareholders may make capital contributions in money, or in kind, intellectual property rights, land use rights and other non-monetary property that can be valued in money and can be transferred-referring in accordance with the law; however, except for property that cannot be used as capital contributions under laws and administrative regulations (Paragraph 1 of Article 27, Company Law).

In example (7), the danshu employs the sentence pattern dan/danshi… de chu wai ‘except as otherwise provided for…’, which is mainly used to express the exclusion of the case. In example (8), the danshu is expressed by the sentence pattern dan/danshi… chu wai ‘however, except for…’, excluding the legal objects or the legal subjects.

(b). The Linguistic Expressions of Authorization Danshus

The proportion of authorization norms has increased incrementally with the evolution of the laws. In modern laws, the authorization norms are of primary importance (Zhang, 2018). The acts prescribed by authorization norms can be sub-categorized into negative freedom and positive freedom. Negative freedom is the freedom of the legal subject free from the interference of others, and is often expressed in normative documents by the clauses with words keyi ‘may’, youquan ‘to have the right to’, you...
de guanli ‘to be entitled to…’, etc (Zhu & Ye, 2015, p. 248). Similarly, the danshus expressing positive freedom is often expressed by sentence patterns dan/danshi…keyi ‘but/however,…may’, dan/danshi…youquan, ‘but/however, to have the right to’, dan/danshi you…ziyou ‘but/however, to have the freedom to’ etc. For example (10) below:

(10a) 凡在中华人民共和国领域外犯罪，依照本法应当负刑事责任的，虽然经过外国审判，仍然可以依照本法追究，但是，在外国已经受过刑罚处罚的，可以免除或者减轻处罚。 (《刑法》第 10 条)

fan zai zhong hua ren men ming gong he guo ling yu wai fan zui, yi zhao ben fa ying dang fu xing shi ze ren de, sui ran jing guo wai guo shen pan, ren geng ran ke yi yi zha ben fa zhu jiu, dan shi zai wai guo yi jing shou guo xing fa chu fa de, ke yi mian chu huo zhe jian qing chu fa.

(10b) Anyone who commits a crime outside the territory of the People's Republic of China and is criminally liable in accordance with this Law may still be prosecuted in accordance with this Law although he has been tried in a foreign country, but if he has already been punished with a penalty in the foreign country, he may be exempted from or have his punishment reduced (Article 10 of Criminal Law).

(c). The Linguistic Expressions of Obligatory Danshus

Positive obligation rules require the subject of duty to perform some positive act in order to satisfy the interests of the right holder, which reflects the necessity or burden of the subject of duty to perform some act in order to achieve the interests of others. In legislative provisions, positive obligations are usually expressed by the terms yingdang ‘shall’, bixu ‘must’, you zeren ‘to be obliged to’, you zeren ‘to be liable for’, etc. (Zhu & Ye, 2015, p. 248). Similarly, the danshus expressing positive obligations are mainly expressed by the collocations of hypothetical conjunctions dan/danshi plus modal verbs, such as dan/danshi…yingdang…’but/however,…shall…’, dan/danshi…bixu…’but/have…,…must…’, and sometimes also by the collocations of hypothetical conjunctions dan/danshi plus preposition, such as dan/danshi…yizhao…’but/however,…shall be followed’. See example (11) below:

(11a) 凡在中华人民共和国领域外犯罪，依照本法应当负刑事责任的，虽然经过外国审判，仍然可以依照本法追究，但是，在外国已经受过刑罚处罚的，可以免除或者减轻处罚。 (《刑法》第42 条第1款)

chu ke yi dang zhu ang zuo chu xing zheng xu ke jue ding de wai, xing zheng ji guan yi yang dang zai shou li xing zheng xu ke shen qing zhi ri qi er shi ri nei zuo chu xing zheng xu ke jue ding. er shi ri nei bu neng zuo chu jue ding de, jing ben xing zheng ji guan fu ze ren pi zhun, ke yi yan zhang shi ri, bing ying dang ji yang yan zhang qi xian de li you gao zhi shen qing ren. dan shi: fa lu, fa gui ling you gui ding de, yi zao qi gui ding.

(11b) The administrative organ shall make a decision on an administrative permit within twenty days from the date of receiving the application for an administrative permit, except where a decision on the administrative permit can be made on the spot. If a decision cannot be made within twenty days, it may be extended by ten days under the approval of the head of the administrative organ, and the applicant shall be informed of the reasons for the extension. However, where otherwise provided by law or regulation, the provisions thereof shall be followed (Paragraph 1 of Article 42, Administrative Licensing Law).

The danshu in example (11) uses the verb yizhao ‘shall be followed’.

Negative obligation norm (also known as prohibitive norm) means that the obligor must restrain himself from certain conduct in order to satisfy the interests of the right holder, as required by the prohibitive norm. Prohibitive rules are usually expressed by bude ‘shall not’, buneng ‘cannot’, buying ‘shall not’, jingzhi ‘to be prohibited’, etc (Zhu & Ye, 2015, p. 248). Similarly, danshus expressing negative obligations are usually expressed by sentence patterns dan/danshi…bude…’but/however,…shall not…’, dan/danshi…jingzhi…’but/however,…to be prohibited…’, dan/danshi…yajing…’but/however,…severely prohibited’ etc., or sometimes by other content words. For example (12) below:

(12a) 凡在中华人民共和国领域外犯罪，依照本法应当负刑事责任的，虽然经过外国审判，仍然可以依照本法追究，但是，在外国已经受过刑罚处罚的，可以免除或者减轻处罚。 (《刑法》第171 条)

di mian di san ren sun hai pei chang de su song shi xiao qi jian wei er nian. zi zai ziben hai fa sheng zhi ri qi ji suan; dan shi zai rui fen he qing xiang xia, shi xiao qi jian bu de chao guo zi shang hai fa sheng zhi ri qi san nian.

(12b) The period of limitation for damages to third parties on the ground shall be two years from the date of occurrence of the damage; however, in no case shall the period of limitation exceed three years from the date of occurrence of the damage (Article 171 of Civil Aviation Law).

The danshu in example (12) uses the sentence pattern dan/danshi…bude…’however, in no case shall…’.

C. Interaction Between Hypothetical Conditions and Post-Conditions

In CCLP, 206 instances of co-occurrence of hypothetical conditions and post-conditions are found in the same legislative provision, accounting for only 2.9% of the total number of provisions. The co-occurrence of hypothetical conditions and post-conditions are found in 33 laws, among which 113 instances (54.85%) in the Civil Code, 13 instances (6.31%) in the Civil Aviation Law and 11 instances (5.5%) in the Criminal Code.
(13a) The number of the same responsibility is the same as the number of responsibility, and the principal is responsible for any changes. (The Civil Code of 166th Article)

shu ren wei tong yi dai li shi xiang de dai li ren de，ying dang gong tong xing shi dai li quan. dan shi dang shi ren ling you yue ding de chu wai.

(13b) Where two or more agents are authorized to deal with the same matter for the principal, the agents shall collectively exercise the authority unless otherwise agreed by the parties (Article 166 of Civil Code).

(14a) 中华人民共和国缔结或者参加的国际条约有不同规定，适用国际条约的规定。但是，中华人民共和国声明保留的条款除外。 (《民用航空法》第184条第1款)

zhong hua ren min gong he guo de jie huo zhe can jia de guo ji tiao yue tong ben fa you bu tong gui ding de, shi yong guo ji tiao yue de gui ding; dan shi. zhong hua ren min gong he guo sheng ming bao liu de tiao kuan chu wai.

(14b) Where an international treaty concluded or acceded to by the People's Republic of China contains provisions different from those of this Law, the provisions of the international treaty shall apply; provided, however, that provisions to which the People's Republic of China has declared reservations shall be excluded (Paragraph 1 of Article 184, Civil Aviation Law).

In general, there are 7110 articles in CCLP, and 7656 de-constructions and 481 danshus are found, but there is 206 co-occurrences of hypothetical conditions and post-conditions in total.

In other words, there are only 1.08 de-constructions, 0.07 danshu ‘proviso’ and 0.03 co-occurrence of hypothetical conditions and post-conditions in each article of legislative provision. The data above shows that: Firstly, as for CONDITIONS in legislative provisions, the frequency of the use of hypothetical conditions is much higher than post-conditions, and the former is 15 times of the latter. Secondly, on the whole, the frequency of use of danshu is too low. And thirdly, the co-occurrences of hypothetical conditions and post-conditions are even less frequent than danshus.

V. CONCLUSION

This paper, based on a mini-corpus CCLP, has quantitatively described the linguistic expressions of CONDITIONs in Chinese legislative provisions and has found that: Firstly, hypothetical conditions are usually expressed by de-constructions (about 98%), and a few de-constructions are preceded by hypothetical conjunction ruguo/ru ‘if/where’ and adverb fan/fanshi ‘any/ whatever’. The linguistic expressions of de-constructions include ruguo...de ‘anyone who’ or if/where ..., fanfanshi...de ‘if/where ...’, etc. Secondly, post-conditions are mainly expressed by danshu ‘provisos’. Specifically speaking, Exclusionary danshu are expressed by sentence patterns dan/danshi...de chu wai ‘except as otherwise provided for...’, and dan/danshi...chu wai ‘however, except for...’, etc. Authorization danshu are expressed by sentence patterns dan/danshi...bushou yingxing ‘but/however/provided that...shall not be affected’, dan/danshi...hu yingxiang ‘but/however/provided that...shall not affect...’; dan/danshi...keyi ‘but/however,...may...’, dan/danshi...youquan, ‘but/however, to have the right to...’; dan/danshi...ziyou ‘but/however, to have the freedom to...’ etc. Obligatory danshu are mainly expressed by sentence pattern dan/danshi...yingdang ‘but/however,...shall...’. dan/danshi...bude ‘but/however, ...shall not...’, etc. Thirdly, the frequency of use of danshu in legislative provisions is less than 7%, and the co-occurrence of hypothetical conditions and post condition is even lower (only 2.9%).

Suggestions for future legislation and amendments: Firstly, the frequency of the use of danshu should be increased to make exceptions, limitations and additions to the general principles prescribed in the main clause of legislative provisions. The use of de-constructions should be standardized, i.e., deleting hypothetical conjunction ruguo/ru ‘if/where’ and adverbs fan/fanshi ‘any/whatever’. Thirdly, the co-occurrence of de-constructions and danshu should be increased, so as to enhance the quality of legislative provisions.

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Daohua Hu, born in 1976, Doctor of Literature in Linguistics and Applied Linguistics in Foreign Languages at Tongji University, Shanghai, the People’s Republic of China.

He is an associate professor at School of Languages and Cultures, Shanghai University of Political Science and Law, Shanghai, China. His research interests include linguistic features in Chinese legislative texts, and comparative study of Chinese and English legal texts, legal translation, etc.