WRITING STYLES AND STRATEGIES
USED BY MALAYSIAN LAWYERS
IN THE WRITING OF AFFIDAVITS

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ABSTRAK

Kajian ini dilaksanakan bagi menyelidik dan memastikan gaya dan strategi penulisan afidavit oleh para peguam di Malaysia. Samada pengalaman dalam bidang guaman mempengaruhi gaya dan strategi penulisan para peguam juga dipastikan.


Dapatan kajian ini memperlihatkan bahawa gaya penulisan ditentukan dengan pilihan dan susunan perkataan – perkataan dan ayat – ayat, termasuk juga ide – ide yang disampaikan. Strategi penulisan terdiri daripada 'the recursive nature of writing' dan 'constant revision.' Terdapat juga persamaan dan perbezaan dalam penulisan afidavit di antara peguam – peguam kanan dan yang baru.
ABSTRACT

This study was undertaken to investigate and ascertain the writing styles and strategies used by Malaysian lawyers in the writing of affidavits. Whether years of experience in the legal field influence the writing styles and strategies was also ascertained.

To achieve this aim, a two pronged investigative strategy was employed. Drafts and fair copies of affidavits written by lawyers were collected and analyzed to establish the writing styles and strategies of lawyers. Interviews were conducted using a semi-structured questionnaire, to get an insight into the composing process lawyers undergo prior to and during the process of drafting.

The findings reveal that the writing styles are determined by the choice and arrangement of words and sentences, as well as the ideas conveyed. The writing strategies comprise ‘the recursive nature of writing’ and ‘constant revision’. Also, there are similarities and differences in the writing of affidavits between senior and junior lawyers.
ACKNOWLEDGEMENTS

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I am utterly grateful to my eleven respondents who most willingly devoted invaluable time and exercised immeasurable patience off their hectic professional practice, for their honest and dedicated contribution towards the corpus of this course. My utmost thanks to Mr. Leow Shin Fong who wrote the facts of Case 1 and Case 2.

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Last but not least, I dedicate this thesis to my dearest late brother, Shyamal Kumar Dev whose sudden demise on the 15th February, 1999 and in the midst of completion of this thesis was but a shock and an indescribable loss to me and my family. A million thanks to one and all whose, no matter how small a contribution in one way or another has gone a long way in the culmination of this study.
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