

Intertextuality in Judicial Reasoning of Selected High Court Judgments on Theft and Fraud Cases

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Abstract

This study investigates how intertextuality functions as a discursive mechanism in judicial reasoning within selected Nigerian High Court judgements on theft and fraud cases. Although previous studies have established that legal discourse is inherently intertextual, this research extends beyond the identification of citations and references to examine how intertextual practices construct judicial authority, institutional legitimacy, and ideological coherence in criminal adjudication. The study is anchored in Norman Fairclough's theory of intertextuality within the framework of Critical Discourse Analysis (CDA), which views judicial texts as products of interconnected legal and institutional discourses. A qualitative research design was adopted, using four purposively selected Nigerian High Court judgements obtained from the Nigerian Weekly Law Reports (2022 edition). The published and transcribed judgements were selected because they are authoritative legal documents that preserve the reasoning processes of the courts. The data were analysed through qualitative intertextual and discourse analysis. The analytical procedure involved identifying intertextual markers such as legal citations, direct quotations, paraphrases, legal maxims, reported speech, and interdiscursive references, followed by an examination of their linguistic, ideological, and institutional functions within judicial reasoning. The findings reveal that intertextuality in judicial discourse extends beyond textual referencing, as judges strategically deploy intertextual devices to justify legal interpretations, reinforce doctrinal continuity, maintain institutional authority, and reproduce dominant legal ideologies. The study contributes to legal discourse scholarship by providing a critical discourse-oriented understanding of intertextuality in Nigerian High Court judicial reasoning.

Keywords: *Intertextuality, judicial reasoning, court judgement, legal discourse, criminal case.*

Introduction

Legal discourse represents one of the most institutionalised forms of language use because it performs authoritative, regulatory, and interpretive functions within society. Judicial judgements, in particular, are central to the operation of the legal system because they embody the process through which judges interpret statutes, evaluate evidence, apply precedents, and justify legal conclusions. Judicial reasoning therefore constitutes not merely a logical application of legal principles but also a discursive practice through which courts construct legitimacy, institutional authority, and coherence within the legal order.

Legal judgements are inherently intertextual because they constantly engage with prior legal texts, including statutes, constitutional provisions, precedents, legal doctrines, witness testimonies, and academic commentaries. In this sense, judicial reasoning does not occur in isolation but within an interconnected network of texts that shape legal interpretation and meaning. Intertextuality in legal discourse thus refers to the relationship between legal texts whereby judges draw upon earlier authoritative texts to justify decisions, reinforce institutional continuity, and maintain doctrinal consistency.

Although the intertextual nature of legal discourse has been recognised in foundational studies such as Fairclough (1992), Bhatia (1993), and Tiersma (1999), many existing studies have focused primarily on describing citation practices or identifying intertextual devices in appellate court judgements. Limited scholarly attention has been paid to how intertextuality functions ideologically and institutionally within High Court criminal judgements, particularly within the Nigerian legal context. Existing studies also tend to emphasise appellate courts while overlooking the High Court as the foundational site where judicial reasoning is initially articulated and legal doctrines are concretely applied.

This study therefore investigates intertextuality in selected Nigerian High Court judgements on theft and fraud cases to examine how judges strategically deploy intertextual resources to construct authority, justify legal reasoning, and reproduce institutional legitimacy. Unlike previous descriptive studies, this paper adopts a Critical Discourse Analysis perspective to explore how intertextuality performs ideological and institutional work within judicial discourse.

The study is guided by the following research questions:

1. What intertextual devices are employed in the selected High Court judgements?
2. How do these intertextual practices function within judicial reasoning?

3. In what ways does intertextuality construct legal authority, institutional legitimacy, and ideological coherence in judicial discourse?

The study focuses on four purposively selected Nigerian High Court criminal judgements involving theft and fraud obtained from the Nigerian Weekly Law Reports (2022 edition). These cases were selected because theft and fraud cases frequently involve intensive judicial interpretation of criminal statutes, evidential standards, and precedential authorities, thereby providing rich intertextual material for analysis.

The study contributes to legal discourse scholarship by shifting the discussion of intertextuality from a merely descriptive account of citation practices to a critical examination of how judicial texts reproduce legal authority and institutional power. It also contributes to Nigerian legal scholarship by foregrounding High Court judgements as important sites of discursive and doctrinal construction.

The contribution of this study is primarily analytical and theoretical because it extends Fairclough's intertextual framework into Nigerian High Court criminal discourse by demonstrating how intertextuality functions not merely as textual referencing but as a mechanism for constructing judicial power, legal legitimacy, and ideological continuity.

Literature Review

The concept of intertextuality was first introduced by Julia Kristeva (1966), who describes every text as "a mosaic of quotations" in which meanings emerge through relationships with other texts. Kristeva's formulation challenged the notion of textual autonomy by arguing that texts constantly absorb, transform, and recontextualise prior discourses. This foundational idea was further developed by Jonathan Culler (1976), who emphasised the relational nature of textual meaning, and by Roland Barthes (1977), who argued that texts are constituted through networks of prior discourses rather than individual authorship. Gérard Genette (1982) later expanded the discussion through the concept of transtextuality, which explains the multiple ways texts interact with and derive meaning from one another.

Within professional and institutional discourse studies, intertextuality became increasingly important in the late twentieth century. Devitt (1991) examined intertextual relations in tax accounting discourse and demonstrated that specialised texts interact with legal codes and institutional conventions to perform professional functions. Shortly afterwards, Norman

Fairclough (1992) incorporated intertextuality into Critical Discourse Analysis (CDA), arguing that texts are shaped by prior discourses and that intertextuality serves as a mechanism through which institutions reproduce or challenge power relations and ideologies. Fairclough's perspective moved intertextuality beyond literary studies into broader social and institutional contexts. In the same period, Vijay Kumar Bhatia (1993) argued that legal discourse depends heavily on prior legal documents and institutional conventions to maintain continuity, precision, and authority, while Peter Tiersma (1999) observed that legal language derives legitimacy through repetitive and formulaic references to statutes, precedents, and institutional traditions.

Further studies in legal discourse continued to explore the role of intertextuality within institutional communication. Bhatia (1998) analysed legislative texts and identified major intertextual functions such as signalling textual authority, facilitating textual mapping, and defining legal scope. Although the study contributed significantly to legal discourse scholarship, its emphasis remained largely on legislative drafting rather than judicial reasoning. Similarly, studies such as Beaugrande and Dressler (1981), Bazerman (2003), and Duff (2002) reinforced the idea that texts operate within networks of prior discourses and institutional genres.

More recent scholarship has shifted attention toward judicial discourse itself. Udina (2018) investigated intertextual relations in Court of Appeal judgements and identified devices such as citations, quotations, and references as central features of judicial language. However, the study remained largely descriptive because it focused mainly on identifying textual devices without critically examining their ideological or institutional implications. Gennadyevna (2020) analysed coherence and intertextuality in the judgements of the European Court of Human Rights and identified informative, interpretative, and argumentative functions of intertextual inclusions. Breeze (2021) further explored the relationship between discourse, institutional legitimacy, and power within legal settings, arguing that judicial language functions as an important mechanism for sustaining legal authority. In the same vein, Trabulsi (2021) examined implicit intertextuality in legal written discourse and found that legal documents rely heavily on recurring rhetorical structures and institutional templates.

Contemporary studies have increasingly examined the ideological dimensions of judicial intertextuality. Amoakohene (2022) highlights how intertextuality contributes to the construction of ideological meaning within judicial texts, particularly through the selective incorporation of authoritative legal voices. However, the study pays greater attention to ideological representation

in judicial language than to the specific linguistic mechanisms through which intertextuality constructs institutional legitimacy in criminal adjudication. Similarly, Alcaraz and Hughes (2023) demonstrate that contemporary judicial reasoning relies on dynamic interactions between statutes, precedents, institutional discourses, and legal interpretations. While the study provides important insights into the evolving nature of judicial discourse, its analysis is largely situated within broader international legal systems and does not sufficiently address the peculiarities of Nigerian High Court criminal proceedings. In the Nigerian context, Emenike (2024) investigated intertextual representation in Nigerian appellate judgements and demonstrated that intertextual practices perform significant pragmatic and institutional functions in judicial language use. Nevertheless, the study focuses primarily on appellate courts and remains largely descriptive because it identifies intertextual practices without critically examining how such practices function ideologically to construct legal authority and institutional power at the High Court level, where judicial reasoning is initially articulated. Consequently, existing contemporary studies have not sufficiently explored how intertextuality operates simultaneously as a linguistic, institutional, and ideological strategy within Nigerian High Court criminal judgements.

Despite these contributions, a major limitation across much of the literature is the tendency to treat intertextuality primarily as a textual or stylistic feature rather than as a mechanism of institutional power and ideological reproduction. Many studies concentrate on identifying types of intertextual references without critically examining how judges strategically deploy such references to legitimise judicial decisions, reinforce institutional authority, and sustain dominant legal ideologies. This study therefore addresses these gaps by adopting Fairclough's Critical Discourse Analysis framework to examine intertextuality not merely as a textual phenomenon but as a discursive strategy through which legal authority and ideological legitimacy are constructed within Nigerian High Court criminal judgements.

Theoretical Framework

This study is anchored in Norman Fairclough's theory of intertextuality within Critical Discourse Analysis (CDA). Fairclough (1992; 2003) conceptualises intertextuality as the presence and transformation of prior texts within a new text. According to him, no discourse exists independently because texts are shaped by previous discourses, institutional practices, and ideological structures.

Fairclough distinguishes between manifest intertextuality and interdiscursivity. Manifest intertextuality refers to the explicit presence of other texts through quotations, citations, paraphrases, and references, while interdiscursivity refers to the mixing of different discourses and genres within a single text. In judicial discourse, manifest intertextuality appears through legal citations, references to statutes, precedents, constitutional provisions, and witness testimonies, whereas interdiscursivity emerges through the incorporation of legal, forensic, administrative, and economic discourses within judicial reasoning.

The relevance of Fairclough's framework to this study lies in its emphasis on the relationship between discourse, ideology, and institutional power. Judicial judgements are not neutral texts; they are institutional discourses that construct legitimacy and authority through selective engagement with prior legal texts. Judges rely on intertextual resources to present decisions as objective, rational, and legally inevitable. Through this process, judicial discourse reproduces dominant legal ideologies such as the rule of law, procedural fairness, and institutional continuity. Fairclough's framework also enables the study to move beyond descriptive identification of citations toward an examination of how intertextuality performs ideological work within legal discourse. By analysing the selection, framing, and interpretation of prior texts, the study uncovers how judges position themselves within established legal traditions while simultaneously shaping legal meaning.

Thus, Fairclough's theory provides an appropriate analytical framework for understanding judicial reasoning as a socially situated and ideologically mediated discursive practice.

Methodology

This study adopts a qualitative research design because the objective is to examine how intertextuality functions within judicial reasoning rather than to quantify textual patterns. The data consist of four purposively selected Nigerian High Court criminal judgements involving theft and fraud obtained from the Nigerian Weekly Law Reports (2022 edition).

The cases were selected purposively for three major reasons. First, theft and fraud cases frequently require detailed judicial engagement with statutory provisions, evidential rules, and precedential authorities, thereby producing intertextually dense judgements. Second, High Court judgements constitute the foundational level of judicial reasoning where legal principles are first interpreted and applied before appellate review. Third, the selected cases contain extensive judicial reasoning and sufficient intertextual material suitable for Critical Discourse Analysis.

The data comprise four Nigerian High Court judgements involving theft, fraud, forgery, conspiracy, and financial misappropriation. The selected cases include criminal prosecutions relating to forged financial documents, theft of industrial materials, evidential disputes, and fraud-related offences prosecuted by state and anti-corruption agencies. These judgements were selected because they contain extensive judicial reasoning and rich intertextual materials suitable for Critical Discourse Analysis. These cases were selected not because they are statistically representative but because they are information-rich texts capable of revealing how intertextuality functions within judicial reasoning.

The study relies on published and transcribed versions of the judgments because law reports provide authoritative and standardised records of judicial decisions. Published reports preserve the exact wording, citations, and reasoning processes of the courts, thereby ensuring textual accuracy and reliability for discourse analysis. In addition, the accessibility of law reports allows other researchers to verify and replicate the analysis.

However, the use of published judgements presents certain limitations. Editorial formatting in law reports may omit certain oral courtroom interactions and non-verbal communicative features that could enrich discourse analysis. Furthermore, although the dataset was expanded to four judgements, the study still prioritises depth of qualitative interpretation over statistical generalisation across all Nigerian High Court judgements. Nevertheless, qualitative discourse studies prioritise depth of analysis over numerical generalisation, and the selected cases provide sufficient material for examining the discursive functions of intertextuality.

The analytical procedure involved three stages:

1. Identification of intertextual markers such as legal citations, quotations, paraphrases, reported speech, legal maxims, and interdiscursive references.
2. Categorisation of these intertextual forms according to their linguistic and discursive functions.
3. Critical interpretation of how the identified intertextual practices construct judicial authority, institutional legitimacy, and ideological coherence.

The units of analysis include clauses, sentences, and textual excerpts containing explicit or implicit intertextual references. The analysis focuses not only on the occurrence of intertextual devices but also on how they function within the broader institutional context of judicial reasoning.

The study raises minimal ethical concerns because court judgements are public documents available for academic and professional use. Nevertheless, the study maintains academic integrity through accurate citation and faithful representation of judicial texts.

Analysis and Findings

Table 1 presents the major intertextual devices identified in the selected High Court judgements alongside their textual illustrations, discursive functions, and ideological implications within judicial reasoning.

Intertextual Device	Textual Illustration	Discursive Function	Ideological/Institutional Implication
Legal Citation	“In Aina v. Jinadu (1992) 4 NWLR [Pt. 233] 91, it was held that the offence of forgery is committed when a person knowingly makes a document or writing which is false...”	Establishes legal authority and supports judicial reasoning through precedent.	Reinforces the doctrine of stare decisis and presents judicial decisions as objective, legitimate, and institutionally grounded.
Citation of Statutes	“Section 364 of the Penal Code under which the Defendants are charged...”	Connects judicial interpretation directly to statutory authority.	Constructs the judgement as legally binding and rooted in formal legal institutions.
General Reference	“See Kasa v. The State (1994) LPELR–1671 (SC).”	Directs readers to prior judicial authorities without detailed explanation.	Sustains continuity within legal discourse and positions the judgement within an established legal tradition.
Paraphrasing	“The law is well established that the maker of a document is the proper	Simplifies and adapts earlier	Demonstrates judicial interpretive authority and enables

Intertextual Device	Textual Illustration	Discursive Function	Ideological/Institutional Implication
	person to tender it in evidence.”	legal principles to the present case.	selective framing of legal meaning.
Direct Speech	“I am of the considered view that by this provision, the Court has power...”	Presents judicial opinion with precision and authenticity.	Enhances the persuasive authority of the judge and foregrounds institutional voice.
Reported Speech	“One Fidehs Omini, a police officer attached to SARS, testified as PW2...”	Reconstructs courtroom testimony and evidential narratives.	Controls representation of witness voices and legitimises judicial conclusions through selective narration.
Legal Maxim	“The confessional statement of a co-accused is no evidence against the other accused person...”	Invokes established legal doctrine and principle.	Reinforces procedural fairness and continuity of criminal jurisprudence.
Obiter Dicta	“Proof of actual agreement is not easy; thus, the courts usually consider it sufficient...”	Provides persuasive commentary beyond the ratio decidendi.	Extends judicial influence and shapes future legal interpretation.
Stylistic Pastiche	“Learned counsel contended that the Defendants’ confessional statements were obtained under duress...”	Reproduces conventional legal style and courtroom language.	Aligns the judgement with institutional norms and conventions of judicial writing.

Intertextual Device	Textual Illustration	Discursive Function	Ideological/Institutional Implication
Interdiscursive Evidence	“There should be time log, a cargo manifest, a certificate of quantity transferred...”	Incorporates technical and forensic discourse into legal reasoning.	Constructs objectivity and enhances institutional credibility through expert knowledge.

The analysis reveals that intertextuality in judicial reasoning extends beyond textual referencing and functions as a mechanism of institutional authority, legal legitimisation, and ideological reproduction. Judges strategically deploy citations, statutory references, and legal doctrines to present judicial outcomes as objective and legally inevitable. Through these intertextual practices, judicial discourse reinforces continuity, consistency, and public confidence in the legal system. Furthermore, the findings demonstrate that judicial reasoning is dialogic and cumulative. Judges negotiate legal meaning by selectively invoking, adapting, and recontextualising earlier legal authorities within contemporary judicial contexts. This confirms Fairclough’s argument that intertextuality operates as a mechanism through which institutions reproduce dominant ideologies and sustain power relations.

Discussion

Intertextuality in judicial discourse extends beyond the mere presence of citations and references. In High Court criminal judgements, intertextuality functions as a discursive strategy through which judges construct legal authority, institutional legitimacy, and ideological coherence. The selected theft and fraud judgments demonstrate that judicial reasoning is fundamentally dialogic because judges continuously engage with previous legal texts such as statutes, constitutional provisions, precedents, legal doctrines, witness testimonies, and procedural conventions. This section therefore moves beyond the descriptive identification of intertextual devices to examine how such devices operate linguistically and institutionally within judicial reasoning.

Legal Citation as Institutional Authority

One of the most dominant intertextual features identified in the selected judgements is legal citation. Judicial citations function not merely as references to earlier authorities but as

mechanisms for legitimising judicial decisions. Judges rely on statutes and precedents to position their rulings within an already established legal tradition, thereby presenting decisions as objective and institutionally grounded rather than personally motivated.

For instance, in one of the theft cases, the court stated:

“Counts 4, 6, 8 and 10 – Forgery: Section 364 of the Penal Code under which the Defendants are charged reads: ‘Whoever commits forgery shall be punished with imprisonment for a term which extends to fourteen years or with fine or with both.’”

This citation performs an authoritative function by grounding the judgement in statutory law. The judge invokes the Penal Code not only to define the offence but also to reinforce the legitimacy of judicial interpretation. Through this intertextual practice, the judgement derives authority from the legal system itself rather than from individual judicial discretion.

Similarly, the judgment cites previous cases:

“In *Aina v. Jinadu* (1992) 4 NWLR (Pt.233) 91, it was held that the offence of forgery is committed when a person knowingly makes a document or writing which is false with the intent that it may in any way be used or acted upon by another as genuine to his prejudice.”

Here, the precedent functions ideologically to sustain the doctrine of *stare decisis*. By relying on prior judicial authorities, the court constructs continuity and predictability within criminal adjudication. This aligns with Fairclough’s (1992) argument that intertextuality reproduces institutional power through selective incorporation of authoritative voices. The judgement therefore becomes part of a larger chain of legal discourse in which past decisions shape present interpretations.

Constitutional References and the Construction of Legal Legitimacy

The analysis further reveals that constitutional references are strategically deployed to construct procedural legitimacy and reinforce the judiciary’s role as protector of fundamental rights. For example:

“It is a fundamental principle of the adversary adjudicatory system of our criminal jurisprudence that a person charged with a criminal offence shall be presumed innocent until proven guilty — see Section 36(5) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).”

The intertextual reference to the Constitution performs several functions simultaneously. Linguistically, it foregrounds the constitutional basis of criminal justice. Institutionally, it

legitimises the court's reasoning by aligning the judgement with supreme legal authority. Ideologically, it reinforces liberal democratic values such as fairness, due process, and the presumption of innocence.

Rather than presenting the judgement as a personal interpretation, the judge frames the reasoning as constitutionally mandated. This demonstrates how intertextuality operates as a mechanism for institutional self-legitimation within judicial discourse.

Paraphrasing and the Adaptation of Legal Meaning

Paraphrasing is another major intertextual strategy observed in the selected judgements. Unlike direct citation, paraphrasing allows judges to reformulate earlier legal principles in ways that fit the present context while maintaining doctrinal continuity.

An example from the data states:

“The law is well established that the maker of a document is the proper person to tender it in evidence.”

This statement paraphrases established evidentiary principles derived from earlier authorities without reproducing them verbatim. Through paraphrasing, judges simplify complex legal doctrines and integrate them seamlessly into judicial reasoning. The process enables the court to adapt prior legal knowledge to new factual circumstances while preserving institutional consistency.

From a discourse analytical perspective, paraphrasing also conceals the interpretive nature of judicial reasoning. The reformulated principle appears natural and universally accepted, thereby masking the ideological choices involved in legal interpretation. Fairclough (2003) explains that institutional discourse often naturalises certain assumptions through repetitive linguistic patterns. In this context, paraphrasing contributes to the normalisation of legal ideology within judicial discourse.

Direct and Reported Speech as Evidential Authority

The selected judgements also reveal extensive use of direct and reported speech, particularly in witness testimonies and judicial pronouncements. These forms function as intertextual incorporations of external voices into the judgement.

For example:

“Hon. Justice Sylvanus Chinedu Orijì submitted: ‘I am of the considered view that by this provision, the Court has power to make an order for the sum of N124 million to be restored to the Defendants by the EFCC.’”

The direct quotation preserves the exact wording of the earlier judicial statement, thereby enhancing authenticity and authority. The quotation signals fidelity to legal precision and reduces the possibility of interpretive distortion.

Similarly, reported speech is used in witness narration:

“One Fidehs Omini, a police officer attached to the Special Anti-Robbery Squad (SARS), testified as PW2. He told the Court that on the 9th of August, 2016, a case of conspiracy and theft was reported to the Police.”

Here, reported speech enables the court to incorporate testimonial evidence into the broader narrative of judicial reasoning. It also demonstrates how judicial discourse accommodates multiple institutional voices, including police officers, counsel, witnesses, and previous judges. However, the judge ultimately controls which voices are foregrounded or marginalised, reflecting the hierarchical power relations embedded in courtroom discourse.

Legal Maxims and the Reproduction of Judicial Ideology

The analysis identifies the use of legal maxims and doctrinal formulations as another significant intertextual strategy. Legal maxims function rhetorically to present judicial reasoning as rooted in longstanding legal wisdom.

For instance:

“The law, however, is that the confessional statement of a co-accused is no evidence against another accused person unless adopted by word or conduct.”

This formulation reflects the reproduction of inherited legal doctrine within contemporary adjudication. Such expressions appear objective and timeless, yet they embody ideological assumptions about fairness, criminal responsibility, and evidential reliability.

By repeatedly invoking these formulations, judges reinforce institutional continuity and preserve the authority of established legal traditions. Intertextuality therefore serves not only legal but also ideological functions within judicial reasoning.

Obiter Dicta and Judicial Persuasion

The judgments further demonstrate the strategic use of obiter dicta. Although obiter statements are not legally binding, they perform persuasive and interpretive functions within judicial discourse.

For example:

“Proof of actual agreement is not easy; thus, the courts usually consider it sufficient if circumstances exist from which conspiracy may reasonably be inferred.”

This statement extends beyond the immediate facts of the case to provide broader judicial commentary on criminal conspiracy. Through obiter dicta, judges influence future interpretations and contribute to the gradual evolution of legal doctrine.

The use of such commentary reflects the dialogic nature of legal discourse because judges anticipate future judicial engagement with their reasoning. Intertextuality therefore connects present judgements not only with past authorities but also with future legal interpretations.

Interdiscursivity and Cross-Disciplinary Authority

The selected fraud judgements reveal significant interdiscursive features, particularly through references to technical and commercial documentation. For example:

“There should be a time log, certificate of quantity transferred, cargo manifest, bill of lading, certificate of origin and ullage report to support a second STS.”

This extract demonstrates how judicial discourse incorporates terminologies from maritime, commercial, and administrative discourses. Such interdiscursive practices broaden the evidential foundation of judicial reasoning and construct the court as an institution capable of evaluating specialised knowledge.

The integration of technical discourse also enhances the perception of objectivity and rationality within judicial decisions. By drawing upon external knowledge systems, judges reinforce the institutional authority of the judiciary and legitimise legal conclusions through specialised expertise.

Intertextuality and Judicial Reasoning

The findings demonstrate that intertextuality is central to judicial reasoning because legal judgements derive meaning through continuous interaction with prior texts. High Court judges do not decide cases in isolation; rather, they interpret statutes, evaluate precedents, incorporate testimonies, and adapt doctrinal principles to produce legally acceptable outcomes.

The analysis further shows that intertextuality performs important ideological and institutional functions. It sustains doctrinal continuity, reinforces judicial authority, legitimises legal interpretation, and naturalises dominant legal ideologies. Through intertextual practices, judicial discourse presents legal reasoning as objective, coherent, and institutionally grounded even though it involves interpretive and ideological choices.

This study therefore extends existing scholarship beyond descriptive classification of intertextual devices by demonstrating how intertextuality operates as a mechanism of power, legitimacy, and institutional reproduction within Nigerian High Court criminal adjudication.

Conclusion

This study examined intertextuality in selected Nigerian High Court judgements on theft and fraud cases using Norman Fairclough's Critical Discourse Analysis framework. The findings demonstrate that judicial reasoning is fundamentally intertextual because judges constantly engage with statutes, precedents, constitutional provisions, witness testimonies, and institutional discourses in constructing legal decisions.

The study identified several intertextual devices, including legal citations, paraphrasing, direct quotation, reported speech, legal maxims, and interdiscursive references. However, beyond identifying these devices, the study demonstrated that intertextuality performs important ideological and institutional functions within judicial discourse.

Intertextual practices enable judges to construct legal legitimacy, reinforce institutional continuity, maintain doctrinal coherence, and reproduce dominant legal ideologies. Judicial reasoning therefore emerges not as an isolated intellectual activity but as a discursive process situated within an evolving network of authoritative legal texts.

The study contributes to legal discourse scholarship by moving beyond descriptive accounts of legal citation toward a critical examination of how intertextuality constructs judicial authority and institutional legitimacy. It also foregrounds the Nigerian High Court as an important site for analysing the discursive production of legal meaning.

In addition, the study demonstrates that intertextuality is not merely a stylistic feature of judicial writing but a mechanism through which courts sustain legal continuity, reinforce institutional power, and reproduce dominant legal ideologies within criminal adjudication.

The inclusion of four High Court judgements strengthens the analytical depth of the study by providing broader insight into intertextual practices across multiple criminal adjudication contexts.

Future studies may expand the dataset to include appellate and Supreme Court judgements across different legal domains to provide broader comparative insights into intertextuality within Nigerian judicial discourse.

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