# LOGIC AS A SEMANTIC RESOURCE IN THE LANGUAGE OF LAW AND RELIGION

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## Introduction
Logic is a branch of philosophy which is essentially a study of the art and science of correct reasoning (Baronett, 2008). There is interplay between logics and linguistics which is evident in Logical-Semantics which contributes to cooperation and understanding in human communication (Grice, 1975). This paper argues that the study of logics is relevant and can help in characterizing and exhibiting a practice of correct reasoning and avoiding bad reasoning while using language in fields such as law and religion. These two registers principally rely on semantics.

## Application of Terms
A logical term is a verbal expression of an idea which is used in building propositions. This means that logical terms can appear as subjects or predicates and their qualities make sentences to be either true or false (Holyoak and Morrison, 2005). Logical terms are thus used as semantic tools for articulating thoughts and for interpreting them. Confusing meaning or failing to understand the logical terms can lead to an improper judgment hence injustice in law or deception in religion. On the contrary, correct application of terms can promote sound counsel and valid conclusions in these registers.

Equivocal and analogous terms are semantic concepts which are associated with lexical and syntactic meaning. For example, equivocal terms are analyzed in semantics as elements of homonymy. Analogous terms are forms which whereas they are related by proportion, they represent two completely different concepts. Analogous terms in logic are related to synonymous and antonymous forms which are analyzed in semantics (Copi et al, 2007; Baronett, 2008).

Homonymy is another semantic relationship which is akin to both logic and semantics. Forms are homonymous if they represent more than once concept as a result of orthographical or phonological similarity (Habwe & Karanja, 2004; Yule, 2006). On the other hand, univocal terms as linguistic forms which represent one and only one concept are usually left out in the description of semantic relationships. These two instances are logically significant in coding and decoding meaning as processes that are linked to reasoning.

## Significance of Meaning
Semantics explains the meaning of 'meaning' as the definition of a concept. Definition is a mental process of clarifying the meaning of a term by analyzing its semantic constituents, detailing its functions or explaining its significance (Yule, 2006). Definition can be done by connotation and denotation or by dissecting the term so as to illustrate its parts. In the register of religion, the essence of meaning matters. For example, when Jesus tells his disciples that they will step on serpents and scorpions, it was not literally meaning that they were to walk on those creatures; rather, his statement was carrying a connotative meaning which ought to be understood in the spiritual context.

## Functions of Language in the Process of Logical Reasoning
### a. Informative Function
Both the legal register and the language of religion have an **informative function** (Halliday, 1973). We can use language informatively in a way that is relevant in the process of logical reasoning because it can be used to formulate, affirm or deny propositions. Informative use of language has to do with formulation of statements, arguments, and propositions.

In the process of making logical reasoning in either religion or the law; the person making the conclusion should bear in mind that arguments, propositions or statements used by lawyers, suspects or proponents of sects may be misinformation. The use of language to misinform or for deception will seem informative for consumers who are not exposed to any other truth. This means that logically, language by itself is not reliable as a carrier of absolute truth, rather, it can be used to convey truth or to false doctrine or premises. Every conclusion which logically drawn from false premises is fallacious.

### b. Poetic Function
This is the artistic function of a language. Interlocutors use language poetically whenever they want to express their inner feelings with an intention of emotionally influencing the receivers. Such a function of language may be evaluated as sincere or insincerely by considering the nature of stylistic features used (Jakobson, 1971; Sawe & Ngetich, 2013). Poetic or

expressive function of language may not be classified as true or false but correct or incorrect. This means that the use of language may be logically appropriate or inappropriate.

## C. Directive Function
This is the use of language with an intention of soliciting a reaction. This kind of language can cause or prevent a particular action and is typified in requests and commands. For example, questions which are asked by judges with an intention of eliciting a feedback or in expectation of an answer perform directive functions. This is also characteristic of the language that was used by God in the form of infinite speech act when giving commands during creation (Sawe, 2015).

## d. Regulative Function
This is about the use of language to influence others towards a particular direction (Halliday, 1973). This in the context of religion is evident in the use of language for proselytization. For example, a televangelist applies the regulative function of language when asking his audience to repent and forsake some ways of life. In order to transmit such a function, language use is tailored to influence other beings. Words are thus selected and merged in a manner which will to spur the listeners in the direction which is intended by the speaker. This includes the use language to correct the behaviour of others such as participating in corruption, tribalism, racism and all other evils.

## Logical Judgments
A logical judgment is a mental act of affirming or denying something or someone by means of reasoning. It is a mental process by which existing truths or knowledge is used to make a verdict or to arrive at new knowledge or truths. To make logical judgments, theologians and lawyers have to apply either mediate or immediate inferences. The latter does not require the intervention of more than one proposition while the former demands that more than one premise should be used so as to arrive at the conclusion. See the example below:

- More trees are used in making a coffin,
- Few trees are in cremating a body,
- Therefore a man should be cremated.

Environmentalist view of religion in relation to the aspect of cremation versus using coffins is a subject of discussion in the above example. The question of whether more pieces of wood are wasted in building a coffin to bury one body or in cremating is relevant in the example. The logical dilemma is: should the issue of environmental conservation be delinked from religion or can the science of correct reasoning be applied in making an appropriate conclusion?

## Applicability of Rules of Syllogism in Law and Religion
One rule is that a syllogistic argument must have three terms, not more or less. The challenge in regards to this is related to a situation where other factors apply besides the logical aspect (Holyoak and Morrison, 2005). For instance a person is taken to have committed murder but where the circumstances such as self-defense were motivating such an act, the matter may be taken as manslaughter which attract a lesser penalty. This means that relying on just premises without taking into consideration the underlying circumstances may contribute to an unfair conclusion. This rule is often violated by fallacy of begging the question *(petition principii)*. As recorded in the Gospels, before Jesus was crucified, He was asked whether He is the King of the Jews. He answered the judge by saying "It is you who said I am". The judge found him innocent on the account that whereas his true reference was "I am". On the other hand, the Jews demanded that He be crucified instead of a criminal who had been found guilty. This is used a second premise to the first prophetic premise that a Messiah who is innocent would suffer like a criminal and be crucified so as to ransom men of their sins before God.

**A Rational Conclusion is a Product of Comparing Premises**. According to functionalist-generative theory (Sawe, 2015), premises in religious texts can be understood on the basis of finite and infinite discourses. In that sense, a spiritual conclusion can use premises invoking divine authority such as God or spoken from the realm of the infinite. This is seen in the example below:

a. There is nothing impossible before God.
b. He can create something out of nothing,
c. God created the heavens and the earth and the fullness thereof from nothing.

An argument posited by the Functionalist Generative theory (Sawe, 2015), is that there are infinite speech acts which are uttered by the infinite beings such as God. These infinite speech acts form the basis from which the above conclusion can be seen as relevant and rational. This conclusion may be seen as invalid if it is to be based on the analysis of speech acts as if

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they can only be generated by finite beings (men) as it can be inferred from John Searle's Speech Acts theory (Searle, 1969; 1975).

Deducing a case from particular to general may be affected if the process is defective. For example, if one of the premises is particular, a universal conclusion cannot be achieved.
- a. Voters were bribed in two stations,
- b. The ballot papers were few in all stations,
- c. Therefore, elections were rigged in favor of the accused.

In the above case, the predicate is particular to the subject in the first premise while the predicate in the second premise is general. Since none of the premises is universal, legally, neither of them can be used exclusively in a way that is flawless as a universal feature in the conclusion.

**A Conclusion Cannot be Drawn from Two Particular Premises**. Two negative premises cannot be used to make a rational deduction. The conclusion will be false because no premise is universal. This is begged on the fact that the middle term must be a carrier of at least a universal premise. Consider the following example:
- a. Some believers are honest.
- b. Some believers are rich.
- c. Consequently, honest believers are rich.

This example shows that a conclusion cannot be derived from two affirmatives which are void of a universal premise. Whereas the conclusion is syntactically and semantically correct, the truth in itself is there in the reality. The basis of this argument is that, there is no element which is signaling that in the set of honest (or even dishonest) believers there is a subset of those that are rich.

Inference is one of the logical or semantic criteria by which a proposition is arrived at and affirmed or denied on the foundation of one two other propositions (Copi et al, 2007). For a magistrate to make a correct judgment, he or she ought to consider the first proposition(s) and the subsequent propositions which were inferred from them in an argument being put forward by a plaintiff, a defendant or an advocate. The following is an example of a mediate inference:
- I am the husband of the accused,
- Therefore the accused is my wife.

The above example has two declarative sentences which are either true or false and thus can either be denied or affirmed. The semantic value of sentences to be either true or false qualifies them to be propositions. In the process of making logical inferences, if there is a semantic relationship between the first and the last proposition, then it process could be true. The following example shows an incorrect inference because being a father [in situations that are not ideal] is not necessarily synonymous to being a husband:
- He is the father of your children,
- Therefore he is your husband.

An argument is formed by logically merging a number of propositions which will provide the suitable ground for a conclusion. An argument therefore should not be a mere collection of propositions but rather a collection of premises which are used in building up the conclusion. Discourse markers such as since, as inferred from, as in, as indicated by, may be deduced from and many others are often used by litigants as premise indicators in legal discourses. A premise in that relation is a proposition which is used in an argument to provide evidence for a given conclusion. For a judge to deny or affirm an argument in a suit, he or she will rely on its premises as the grounds for such approval or rejection.

Different discourse markers are used semantically to mark conclusion in both the registers of law and religion. Some of the discourse markers which are used in the two registers include thus, and so, which shows that, consequently, inconsequently, for these reasons, we may infer and therefore.

**Deductive Reasoning**
Attorneys can use deductive argumentation while judges can apply deductive reasoning. An attorney will also apply deductive reasoning in the process of preparing a defense for a client. An argument in this case will be deductive if its conclusion will be logically from the premises which were put forward. Semantically, this means that the relationship between the conclusion and the premises in a deductive argumentation is absolute. Validity or invalidity of a deductive

argument is based on whether it is correct or not. This aspect is thus relevant in ascertaining cogency of arguments expressed in the two registers discussed in this paper.

## Logical Asyllogism

Asyllogismis concept used in logical semantics to refer to a method of reasoning by which a conclusion is derived from two premises. This means that asyllogistic argument must have three and only three propositions. The conclusion in this method of reasoning is thus a product of the relationship between two terms (Copi et al, 2007). Asyllogistic method logically demands that each term must be repeated twice in an argument. The following is asyllogistic argument adopted from Mathew 19.

> Divorcing as a Christian is not allowed in the Bible except in cases of infidelity.
> A man who marries a divorced woman commits adultery with her.
> Any divorcee who will marry another person becomes an adulterer.

The argumentation process in above asyllogical example is scientific because it is systematic on the basis of following from the premises. The conclusion is begged on the claim that adultery is also a product (in this reference) of a marriage with a divorcee. The use of specifier 'any' in the conclusion is an all-inclusive marker in the set of referents rather than a subset.

## Logical Fallacies in Religion and Law

A fallacy is a kind of argument that may seem to be semantically correct but is established to be wrong upon examination. A person who believes in a legal fallacy or a fallacious religious argument arrives at a conclusion which is deceptive. Such a conclusion is not just deceptive but also incorrect. A fallacy is thus a logico-semantic error in reasoning which can be made in the process of making or interpreting an argument.

A conclusion is a verdict arrived at by establishing if the arguments derive from reason or is logical (Holyoak and Morrison, 2005). A fallacy occurs where there is no logical link between the premises and the conclusion in an argument even if the sentences used are grammatical. Such premises do not help in arriving at the conclusion and thus cannot be used to proof the truth. A fallacy can therefore be detected in a law court or in religion that product of hanging premises which are not supporting the conclusion.

Fallacies are positions held whose conclusions are arrived at without sufficient grounds. Lawyers need to check statements used to consider whether the source is trying to assume the truth being sort for in the effort of trying to prove it. For instance, it will be fallacious to repeat the same statement as a premise and as a conclusion unless the conclusion will first be assumed to be true. This method will lead to a wrong conclusion achieved by relying on a fallacy of circular argumentation.

In addition, in the language of religion there is also the **fallacy of complex question**. Where someone may ask about a Muslim by asking "Is he still an al-Shabaab?" or asks about a certain pastor preaching through a television "Is that another conman?" These two questions are examples of a fallacy of complex question. These are complex questions in the sense that they presuppose some truth which is masked within the question. The first question falsely presumes that every Muslim is an al-Shabaab while in the second example, the way in which the question is asked assumes first that all pastors or at least those who preach via televisions are conmen.

**Fallacy of Appeal to Force** is another kind which is can largely affect the conclusion of believers in different faiths about different issues. This involves the use of threats to cause someone to accept a certain conclusion or to follow a given direction. Someone may accept to pay for prayers or to act as dictated by some cultural norms because they are threatened of some consequences from God, gods or other forces. For example, the Kipsigis traditional oral traditions threaten the parents that if they fail to name their children after the death they will die. These traditions, in the form of African religion, instill fear thus there is a tendency to accept just because of fear.

Conclusions about matters in religion need to be checked also against the **fallacy of appeal to snobbery**. This is the tendency to believe what is claimed by known people. It is important to note that not all claims or actions made by known or famous bishops, scholars, imams or pastors are correct or standard (Copi et al, 2007). For example, if one pastor or imam will officiate a wedding between parties of the same sex, it does not follow of necessity that a few years later, this will be a right and sufficient premise to warrant the conclusion that this act is right in Islam or in Christianity because it was sometimes officiated by this or that pastor or imam.

It is also important to note that one group may drift until it becomes a sect by condoning fallacies. One main fallacy that has been responsible for emergence of sects is the **fallacy argumentum ad nominiem**. This fallacy is founded on the old false account that two wrongs make a right. There are some sects in the world right now which speak against immunization claiming that even a big church like Roman Catholic is against it. They do not have the logical basis to build up the validity of their conclusion. In this sense, someone can say that doing this or that is right because so and so also did it (in the Church or in the Mosque) even if it is contrary to the foundations of the same faith. Such an act will be logically misleading.

**Conclusion**

This paper concludes from the perspective of Logical Semantics that the science of correct reasoning is vital in religion and law. Logics and semantics are inseparable in respect to elements of inference, deduction and induction. Validity or invalidity of statements is a semantic feature which is relied upon in reasoning thus it is also an aspect logic. Fallacies in the legal register or in the language of religion can be detected if the conclusions being presented have no sufficient grounds. Conclusions can thus be proven if their arguments derive from reason or are logical. Fallacies can thus be ruled out if logical links exist between the premises and the conclusions even if the sentences used are ungrammatical. Meaning that a fallacy may seem to be syntactically and even semantically correct but upon logical examination, it is established to be incorrect.

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