

The Linguistic Expressions of *Danshu* (Provisos) in Chinese Laws

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Abstract

In legislative texts, *proviso* is used to provide for exceptions or to add certain conditions to the provisions in the main clause. In Chinese legislative texts, proviso is called *danshu*, for it is initiated by the words *dan/danshi*. The linguistic expressions of *danshu* have not been fully described. This study, based on a self-built mini-corpus of *danshu* of Chinese legislative texts, aims to describe the linguistic expressions of *danshu*, summarize the syntactic patterns and core words thereof, and explain the reasons. This study will shed light on the normalization of Chinese legislative texts, especially the linguistic expressions of *danshu*, improve the quality of Chinese legislation, and enrich the study of provisos in legislative texts other than those in English language.

Keywords

Linguistic Expressions, *Danshu* (Provisos), Chinese Laws, Syntactic Pattern, Lexis, *Civil Code*¹

1. Introduction

Variability is inherent in human language: people use different linguistic forms on different occasions, and different speakers of a language will say the same thing in different ways. Most of this linguistic variation is highly systematic (Biber & Conrad, 2009: p. 4). For example, the subfield of *English for Specific Purposes* (ESP) focuses on description of the language used in registers and genres from a particular profession or academic discipline, with its goal of developing instructional materials that will help students learn the particular language patterns that are typical for the different situations and different kinds of texts in those fields (Biber & Conrad, 2009: p. 3).

¹The words “the People’s Republic of China” is omitted in the names of Chinese laws in this study.

Similarly, the language of law is the product of long-term integration of legislative activities and language, which is different from the languages of other fields (Mellinkoff, 2014; Zhou, 2009: p. 478). The style of the language of law is stable (Liu, 2018: p. 7), and due to its unique pragmatic function, the meaning and use of many language units in it have changed, showing a deviation from the daily language use (Yu & Wang, 2017). The syntactic patterns, types and structures of the language of law are subject to the logical structure and meaning of “legislative sentence”, so only by combining the above aspects can we break through the research dilemma of legislative sentences so far (Pan, 2017: p. 188). Therefore, from the logical structure of legal norms, the logical structure of legislative sentences and syntactic patterns, and the classification of *danshu*, this study has described the syntactic patterns and the rules of various *danshu* in Chinese laws, so as to provide a reference for the standardization of linguistic expressions thereof.

According to the white paper on *The Socialist System of Laws with Chinese Characteristics* in 2011, the socialist legal system with Chinese characteristics has been established, and China’s legislation should prefer quality to speed and quantity since then. In terms of its legislation scale, China can be called a legislative power, but current research of the language of law is not commensurate with this status. In fact, in the local and central laws and regulations, and even in some important national laws or regulations, language problems in words, sentences, punctuation are not uncommon. This is directly related to our inadequate use of language, especially the language of law, and the relatively rough research on it (Pan, 2017: p. 181).

2. Literature Review

2.1. The Definition and Linguistic Marker of *danshu* (Proviso)

The term *proviso* refers to a provision that begins with words *provided that* and supplies a *condition, exception, or addition* in drafting (Garner, 2019: p. 1481). In English legal documents, proviso is often emphasized in capitals and may come in the form PROVIDED THAT; or PROVIDED ALWAYS THAT; or PROVIDED FURTHER THAT; or PROVIDED NEVERTHELESS THAT (Doonan & Foster, 2001: p. 159). In Chinese laws, a proviso begins with the words *dan* (but) or *danshi* (but/however), so it is called *danshu* in Chinese (Editorial Board, 2010: p. 0324).

2.2. The Logical Structure and Syntactic Structure of Legislative Provisions

In 1843, George Coode wrote a memorandum *On Legislative Expression* in which he came to the conclusion that legal sentences in statutes consisted of four parts, namely *the case, the condition, the legal subject, and the legal action* (Crystal & Davy, 1969: p. 217). There is no one-to-one correspondence between the four parts of legal sentences and syntactic elements. In fact, it is a logical analysis of

legislative sentences, but it provides a logical or semantic framework for legislative sentences. Therefore, the general structure of English legislative sentence is “If x, then Y shall be (or do) Z” (Tammelo, 2012: p. 86).

Based on the analysis of Chinese legislative provisions, Pan Qingyun (2004; 2017: pp. 189-190) proposed two logical structures of legislative sentences: 1) *condition + legal subject + legal action*; 2) *condition + subject + action + sanction*. The first logical structure is applicable to the legislative sentences of compulsory and authorization legal norms. The *condition* in logical structure corresponds to *the assumption* of legal norms. The second logical structure is the standard format of prohibitory normative legislative sentences. Comparing the two structural patterns, it can be found that both consist of *condition*, *legal subject* and *legal action*, and *sanctions* only in the second logical structure. Therefore, this study integrates the two logical structure models of Professor Pan into one structural model, and takes *sanctions* as the option, that is, the logical structure of legislative sentences is *condition + subject + action + (sanction)*.

2.3. The Classification of *danshu*

Legal norms, according to their content, can be divided into three types, namely *authorization norms*, *obligatory norms* and *compound norms* (Zhang, 2018: pp. 117-118). Authorization norms grant the freedom to people who can act or not or require others to act or not, and they are usually expressed with the words “may”, “be entitled to”, “enjoy the freedom” etc. The freedom of conduct stipulated by the authorization norms can be divided into two subclasses, namely *negative freedom* and *positive freedom* (Zhu & Ye, 2015: p. 248). Obligatory norms, including *negative obligation* and *positive obligation*, directly require people to act or not to act. Positive obligation are often expressed with the words “shall”, “must” etc., while negative obligation with the words “shall not”, “prohibit” etc., or add adverse legal consequences to the description of behaviors. The compound norms refer to those that grant freedom and require obligations simultaneously, and most of which are about the organization and activities of state organs.

In terms of content, *danshu* include three types of legal norms, which are used to guide the conduct of legal subject (Sun, 2006: p. 136), similarly, *danshu* can also be divided into “authorization *danshu*”, “obligatory *danshu*” and “compound *danshu*”.

As for the function, *Black’s Law Dictionary* (11th Edition) points out that a proviso is to propose *condition*, *exception* or *addition* (Garner, 2019: p. 1481). Zhou Wangsheng (1998: pp. 487-490) summarizes five functions of *danshu*: First, to seek the common ground while reserve difference; second, to seek the degree by applying restriction; third, to seek perfection in the way of saving deviation; fourth, to seek comprehensiveness and appropriateness by addition; and fifth, to make the special provisions conspicuous, clear, emphasized and distin-

²Chinese jurists tend to regard legal rules and legal norms as the same concept (Zhang, 2018: p. 116).

guished from the general provisions. Sun Yihua (2006: p. 136) argues that a *danshu* is to put forward exceptions, additional conditions or restrictions to the general provisions of the main clause. This study, based on their content, classifies *danshu* in Chinese legislative texts into four types: authorization *danshu*, obligatory *danshu*, compound *danshu*, and exclusive *danshu*.³

2.4. The Linguistic Expressions of *danshu*

The pragmatic environment of *danshu* is “main clause plus *danshu*”. Zhou Wangsheng (1991: pp. 57-58) divides *danshu* into six types: 1) to express exclusion, with such sentence pattern as *dan/danshi ... chuwai* (but ... except); 2) to express authorization, such as *dan/danshi ... keyi* (but ... may); 3) to express requirements, such as *dan/danshi ... yingdang* (but ... shall); 4) to express commands, such as *dan/danshi ... bixu* (but ... must); 5) to express prohibition, such as *dan/danshi ... bude* (but ... shall not); 6) to express negation, such as *dan/danshi ... bu renwei* (but ... not consider). Luo Huiting and Wang Shan (2018) makes statistics on the expressions of *danshu* and finds that there are 19 forms of *danshu* initiated by the word *dan*, and 27 forms by *danshi*. But the study does not classify and systematize the various forms of *danshu*. Zhou Wangsheng’s six types of *danshu* mix the types of legal norms (i.e., authorization, requirement and prohibition), function of *danshu* (i.e., exclusion) and sentence types (i.e., imperative and negation), which are somewhat confusing. What’s more, Zhou’s study gives a few instances of *danshu*. Luo Huiting and Wang Shan (2018) adopt quantitative research method, but it does not connect the expressions of *danshu* with the classification of legal norms. This study aims to investigate the linguistic expressions of *danshu* based on their specific types.

3. Research Methods

3.1. The Analytical Framework of *danshu*

According to *Black’s Law Dictionary* (11th Edition), Zhou Wangsheng (1991; 1998: pp. 486-487), and Zhang Wenxian (2018: pp. 117-118)³, the *danshu* in Chinese laws can be classified into four types: authorization *danshu*, obligatory *danshu*, compound *danshu*, and exclusive *danshu*. The exclusionary *danshu* include three subclasses, namely exclusion of *the situations*, *the objects*⁴ and *the subjects*⁵ respectively; the authorization *danshu* include two subclasses of *positive freedom* and *negative freedom*; the obligatory *danshu* include two subclasses of *positive obligations* and *negative obligations*, and the compound *danshu* will

³Authorization norms, compulsory norms and compound norms are classified from the content of legal norms. As a special legal norm, *danshu* (proviso) shares the same characteristics of legal norms. In addition, one of its important functions is to exclude the application of certain legal rules to certain *situations*, *subjects* or *objects*. In this study, the exclusionary *danshu* is regarded as a subclass.

⁴*The objects* refer to the intermediary between the obligee and obligor, and the objects of the rights and obligations thereof (Zhang, 2018: p. 157).

⁵*The subjects* refer to the person who enjoys rights and performs obligations in legal relationship, including natural person, legal person, state, state organ and other subjects (Zhang, 2018: pp. 155-156).

not be further classified. The classification and use frequency of *danshu* are as follows in **Table 1** below.

3.2. Research Questions

- 1) What is the overall use of *danshu* in Chinese legislative texts?
- 2) What are the linguistic expressions of various types of *danshu*?
- 3) What is the development trend of the linguistic expressions of *danshu*?

3.3. A mini-Corpus of *danshu*

This study collects 100 laws formulated by National People's Congress of the People's Republic China and its Standing Committee, involving eight legal departments, totaling 848,693 Chinese characters. Among them, 38 laws don't have sentences with the words *danshi/dan* and are excluded. The remaining 62 laws have 7087 articles in total, and 587 sentences with the words *dan/danshi*, in which 438 sentences initiated by *danshi* and 149 by *dan* respectively. The 587 sentences initiated by the words *danshi/dan* are extracted and annotated manually one by one, among which 45 *non-danshu* sentences are eliminated, and finally 542 instances are collected to create a mini-corpus of legal *danshu*. The name of the laws, number of articles, *danshu*, and *non-danshu* are shown in **Table 2** below.

4. Results and Discussion

4.1. The Number of *danshu* in Chinese Laws Is Relatively Small

There are 7087 articles in the 62 laws, but only 587 sentences with the words *danshi/dan*. Among which only 542 instances of *danshu*, 45 *non-danshu* instances are excluded. It is obvious that the number of *danshu* is relatively small (see **Table 2**). Zhou Wangsheng (1998: pp. 493-494) finds that there is a low frequency of *danshu* in China's laws, regulations, rules and other normative documents, and many laws, regulations and rules have no *danshu* at all.

From Zhou Wangsheng's point of view, there are two basic reasons: first, the *danshu* of the laws are not comprehensive and meticulous. Second, the legislative

Table 1. The analytical framework of *danshu*.

Classification of <i>danshu</i>	Subclasses of <i>danshu</i>
Exclusionary <i>danshu</i>	Exclusion of <i>the situations</i>
	Exclusion of <i>the objects</i>
	Exclusion of <i>the subjects</i>
Obligatory <i>danshu</i>	Positive obligations
	Negative obligations
Authorization <i>danshu</i>	Positive freedom
	Negative freedom
Compound <i>danshu</i>	Null

Table 2. The laws, number of articles, *danshu* and *non-danshu*.

No.	Name of laws	No. of articles	No. of sentences with <i>danshi</i>	No. of sentences with <i>dan</i>	No. of <i>danshu</i>	No. of non- <i>danshu</i>
1	Constitution	143	5	3	6	2
2	Legislation Law	105	5	0	4	1
3	Organic Law of Villagers' Committee	41	3	1	4	0
4	Organic Law of Urban Residents' Committee	23	3	0	3	0
5	Procedural Law of Treaty Conclusion	21	3	0	3	0
6	Supervision Law	69	0	2	1	1
7	Anti Terrorism Law	97	0	1	1	0
8	Civil Code	1260	223	0	218	5
9	Company Law	218	18	9	25	2
10	Securities Law	226	7	12	18	1
11	E-Commerce Law	89	3	1	4	0
12	Electronic Signature Law	36	2	0	1	1
13	Administrative License Law	83	9	0	9	0
14	Administrative Review Law	43	7	0	7	0
15	Law on Administrative Punishment of Public Servants	68	6	0	6	0
16	Law on the Protection of Cultural Relics	80	6	0	6	0
17	Lawyers Law	60	3	2	5	0
18	Urban Real Estate Management Law	73	2	3	4	1
19	Notarization Law	47	1	3	4	0
20	Customs Law	102	3	1	3	1
21	Land Management Law	87	2	1	3	0
22	Rural Land Contract Law	70	1	3	3	1
23	Civil Servant Law	113	3	0	2	1
24	Administrative Penalty Law	64	0	2	2	0
25	Nuclear Safety Law	94	1	1	2	0
26	Higher Education Law	69	1	1	2	0
27	Maternal and Infant Health Care Law	39	0	2	2	0
28	Judge Law	69	2	0	2	0
29	Mental Health Law	85	2	0	2	0
30	People's Jury Law	32	0	2	2	0
31	Procurator Law	70	2	0	2	0
32	Urban and Rural Planning Law	70	1	0	1	0
33	Civil Aviation Law	214	35	0	34	1
34	Food Safety Law	154	8	3	9	2
35	Enterprise Income Tax Law	60	0	9	3	6
36	Drug Administration Law	155	4	1	4	1

Continued

37	Tourism Law	112	3	1	4	0
38	Product Quality Law	74	3	0	2	1
39	Highway Law	87	2	1	3	0
40	Construction Law	85	3	0	3	0
41	Ship Tonnage Tax Law	22	0	4	2	2
42	Port Law	62	2	0	2	0
43	Individual Income Tax Law	22	0	1	1	0
44	Budget Law	101	1	0	1	0
45	Trademark Law	73	0	1	1	0
46	Labour Law	107	2	0	2	0
47	Law on Protection of Women's Rights and Interests	61	1	0	1	0
48	Law on the Protection of the Rights and Interests of the Elderly	85	0	1	1	0
49	Occupational Disease Prevention and Control Law	88	0	1	1	0
50	Land Occupation Tax Law	16	0	4	2	2
51	Law on Prevention and Control of Environmental Pollution by Solid Waste	126	4	1	4	1
52	Forest Law	84	3	2	4	1
53	Wildlife Protection Law	58	0	5	5	0
54	Marine Environmental Protection Law	97	1	2	2	1
55	Law on Prevention and Control of Environmental Noise Pollution	64	0	1	1	0
56	Environmental Impact Assessment Method	37	1	0	1	0
57	Criminal Law	452	21	4	23	2
58	Civil Procedure Law	284	0	28	25	3
59	Criminal Procedure Law	308	16	11	25	2
60	Administrative Procedure Law	103	3	15	16	2
61	Arbitration Law	80	0	4	3	1
62	International Criminal Judicial Assistance Law	70	1	2	3	0
63	Total	7087	438	149	542	45

technology is not well developed, and the legislators are not used to *danshu* for the completeness and perfection of legal documents. Obviously, the small number of *danshu* is deeply influenced by the concept of “Legislation should be rough rather than fine” in specific historical period of China (Liu, 2016: pp. 346-348). At the beginning of the reform and opening up, many social relations are in the process of change. The legislative work at that time was of great exploratory characteristics, and it was difficult to take into account the details. This can be seen from the words *Trial* and *Interim* in the names of many laws and regulations at that time. After 40 years of reform and opening up, China's social relations have been basically stable, the legislative experience has become increa-

singly rich. After the socialist legal system with Chinese characteristics has been formed, we can now carve out the law calmly (Liu, 2016: pp. 347-348), and *danshu* is an important tool for the elaborating of legislative provisions.

4.2. Exclusionary *danshu* Are Expressed by Syntactic Patterns of *danshi, ... de chuwai* (But ... Except), *danshi, ... chuwai* (But ... Except), and *danshi, ... bu V* (But ... Do Not) etc.

There are 323 instances of exclusionary *danshu*, accounting for 60% of the total. Among them, 282 instances exclude *the situations*, 34 instances *the objects*, and 7 instances *the subjects* (see Table 3 below). This shows that the main function of *danshu* is to exclude the application of some legal rules to specific *situation, objects* and *subjects*.

4.2.1. When a situation Is Excluded, *danshu* Is Expressed by Syntactic Pattern of *danshi, ... de chuwai*

This study finds 282 instances of *danshu* excluding *situation*, accounting for 87% of the total number of exclusionary *danshu*, 82% of which is expressed by syntactic pattern of *danshi, ... de chuwai* (see Table 3). For example:

(1) ... **但是**, 其配偶再婚或者向婚姻登记机关书面声明不愿意恢复的**除外**。
(《民法典》第 51 条)

Table 3. Exclusionary *danshu*.

Subclasses of exclusionary <i>danshu</i>	Syntactic patterns	Specific expressions	No. of instances	Per cent (%)
Exclusion of <i>the situations</i>	1. <i>danshi, ... de chuwai</i>	1) <i>danshi, ... de chuwai</i>	210	65.02%
		2) <i>danshi, ... chuwai</i>	52	16.10%
		3) <i>danshi, ... qinxing chuwai</i>	4	1.24%
	2. <i>danshi, bu V...</i>	1) <i>danshi, ... bu renwei</i>	1	0.31%
		2) <i>danshi, ... buyu</i>	2	0.62%
		3) <i>danshi, ... bu cunzai</i>	1	0.31%
		4) <i>danshi, ... bu chansheng</i>	1	0.31%
		5) <i>danshi, ... meiyou</i>	1	0.31%
	3. Other patterns	1) <i>danshi, yizhao...</i>	8	2.48%
		2) <i>danshi, ... cong qi guiding</i>	2	0.62%
Exclusion of <i>the objects</i>	1. <i>danshi/dan, ... chuwai</i>	1) <i>danshi, ... chuwai</i>	13	4.02%
		2) <i>dan, ... chuwai</i>	10	3.10%
	2. <i>danshi, bu V...</i>	1) <i>danshi, bu shiyong...</i>	2	0.62%
		2) <i>danshi, bu juyou...</i>	2	0.62%
		3) <i>danshi, bu jisuan...</i>	2	0.62%
		4) <i>danshi, ... bu shou yingxiang</i>	2	0.62%
		5) <i>danshi, ... wei bu dingqi...</i>	3	0.93%
Exclusion of <i>the subjects</i>	1. <i>danshi/dan, ... chuwai</i>	1) <i>danshi, ... chuwai</i>	6	1.86%
		2) <i>dan, ... chuwai</i>	1	0.31%

... *dàn shì, qí pèi ǒu zài hūn huò zhě xiàng hūn yīn dēng jì jī guān shū miàn shēng míng bú yuàn yì huī fù de chú wài.*

... **except where** the spouse has married to someone else or states in writing to the marriage registration authority the unwillingness to resume the marriage. (Article 51 of *Civil Code*)

In (1), “*qí pèi ǒu ... de*” is a *de* phrase, composed of an auxiliary *de* attached to a content word or phrase, which is a noun phrase, and can be used to designate people and objects, and thus can be used to function as the subject and the object grammatically (Huang & Liao, 2011: pp. 50-51).

In legislative texts, *the case* element of legal norms is usually expressed by *de* phrase, and the legal sentences in Chinese laws can be generally expressed as (NP1) + VP1, + (NP2) + VP2 (Hu & Jiang, 2016). The *de* phrase can refer to self-designation and transferred-designation (Zhu, 1983). There are two kinds of internal structure of *de* phrase. The first is “[NP + VP] + *de*”, and it regards the *de* phrase as a noun phrase (Zhou, 2002). The second is “NP + [VP + *de*]”, in which “VP + *de*” is a post relative clause to modify the noun head (Dong, 2003). Most of the post relative clauses of *de* phrase can be converted into its prepositional form with the meaning basically unchanged. The *de* phrase has been an effective and unique expression tool by legal drafters in the past half century in China. It has completely replaced the word *zhe* (者) in the old legislative texts (Zhang, 2015).

As *Danshu* is a special legal norm (Zhou, 1991), so it also consists of three elements of *assumption*, *treatment* and *sanction* (Zhou, 1998: pp. 485-486). In the exclusionary *danshu*, the *de* phrase is usually used to exclude the application of certain legal rules in specific *situations*, such as:

(2) 对于认罪认罚案件，人民法院依法作出判决时，一般应当采纳人民检察院指控的罪名和量刑建议，**但**有下列情形**的除外**：

- (一) 被告人的行为不构成犯罪或者不应当追究其刑事责任的；
- (二) 被告人违背意愿认罪认罚的；
- (三) 被告人否认指控的犯罪事实的；
- (四) 起诉指控的罪名与审理认定的罪名不一致的；
- (五) 其他可能影响公正审判的情形。(《刑事诉讼法》第 201 条)

duì yú rèn zuì rèn fá àn jiàn, rén mín fǎ yuàn yī fǎ zuò chū pàn jué shí, yī bān yīng dāng cǎi nà rén mín jiǎn chá yuàn zhǐ kòng de zuì míng hé liàng xíng jiàn yì, **dàn** yǒu xià liè qíng xíng **de chú wài**：

The people’s court shall generally adopt the charges and sentencing recommendations by the people’s procuratorate when making judgment on a case to which the accused admits his guilt, **with the exception of** the following circumstances: (Article 201 of *Criminal Procedure Law*)

In (2), the *danshu* uses *de* phrase to exclude the five *situations* listed below the main clause, which makes the provisions more legible and orderly.

In legislative texts, sometimes NP in *de* phrase “NP + VP + *de*” can be omitted, that is, “VP + *de*” is used to refer to the person who carries out the act, which is transferred-designation in use. For example:

(3) **故意伤害他人身体的**, 处三年以下有期徒刑、拘役或者管制。(《刑法》第 234 条)

gù yì shāng hài tā rén shēn tǐ de, chù sān nián yǐ xià yǒu qī tú xíng, jū yì huò zhě guǎn zhì.

Whoever intentionally injures another person's body shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention or public surveillance. (Article 234 of *Criminal Law*)

In (3), the *de* phrase refers to any person who has intentionally injured another person's body. The *de* phrase refers to the categorized people or things, behavior, nature, degree and the like, and most of them are associated with derogatory meanings. It has become a necessary language material for *assumption* element in legal norms (Sun, 2006: p. 90). In *Criminal Law*, almost all the *assumption* elements are expressed by *de* phrase.

It is found that the *danshu* for exclusion can also be expressed by syntactic pattern of *danshi, ... de, yizhao...* (but according to...). For example:

(4) ... **但是**, 法律、法规另有规定的, **依照**其规定(行政许可法, 第 43 条)

... **dàn shì**, fǎ lǜ, fǎ guī lìng yǒu guī dìng **de**, yī zhào qí guī dìng.

... **but if** otherwise provided by laws or administrative regulations, such provisions **shall be followed**. (Article 43 of *Administrative License Law*)

In addition, the *danshu* excluding *the situations* can also be expressed by syntactic pattern of *danshi, bu V...*, such as *danshi, ... bu cunzai* (but, ... does not exist), *danshi, ... bu jiaona* (but, does not pay...), *danshi, ... bu chansheng* (but, does not cause...). For example:

(5) ... **但是**, 胎儿娩出时为死体的, 其民事权利能力自始**不存在**。(《民法典》第 16 条)

... **dàn shì**, tāi ér miǎn chū shí wéi sǐ tǐ **de**, qí mǐn shì quán lì néng lì zì shǐ **bú cún zài**.

... **However, a stillborn fetus does not have** such capacity ab initio. (Article 16 of *Civil Code*)

4.2.2. When Excluding *the objects*, *danshu* Can Be Expressed by Syntactic Patterns of *danshi, ... chuwai* and *danshi, bu V...*

In this study, there are 38 *danshu* excluding the *objects*, among which 27 instances adopt *danshi, ... chuwai* (but except...). For example:

(6) 合伙人的债权人不得代位行使合伙人依照本章规定和合伙合同享有的权利, **但是**合伙人享有的利益分配请求权**除外**。(《民法典》第 975 条)

hé huǒ rén de zhài quán rén bù dé dài wèi xíng shǐ hé huǒ rén yī zhào běn zhāng guī dìng hé hé huǒ hé tóng xiǎng yǒu de quán lì, **dàn shì** hé huǒ rén xiǎng yǒu de lì yì fèn pèi qǐng qiú quán **chú wài**.

A creditor of a partner shall not subrogate and exercise any right of the partner provided in this Chapter and the partnership contract, **except that** a creditor may subrogate and exercise the partner's claim against the partnership for distribution of the benefits. (Article 975 of *Civil Code*)

In (6), the *objects* excluded in *danshu* is "the partner's claim against the partnership for distribution of the benefits".

In addition, there are 11 *danshu* expressed by syntactic pattern of “*danshi, bu V...*”, such as:

(7) 公证机构……十五个工作日内向当事人出具公证书。**但是**, 因不可抗力、补充证明材料或者需要核实有关情况**的**, 所需时间**不计算**在期限内。(《公证法》第 30 条)

gōng zhèng jī gòu ... shí wǔ gè gōng zuò rì nèi xiàng dāng shì rén chū jù gōng zhèng shū. **dàn shì**, yīn bú kě kàng lì, bǔ chōng zhèng míng cái liào huò zhě xū yào hé shí yǒu guān qíng kuàng **de**, suǒ xū shí jiān **bú jì suàn** zài qī xiàn nèi.

A notarial certificate shall be issued to the party concerned within 15 working days... **However, in case of** force majeure, providing supplementary materials or the need to verify the relevant circumstances, the time required **shall not be included** in the time limit. (Article 30 of *Notarization Law*)

In (7), the *objects*, namely “the time required in case of force majeure, for providing supplementary materials or the need to verify the relevant circumstances” are excluded.

4.2.3. When Excluding *the subjects*, *danshu* Are Expressed by Syntactic Pattern of *danshi, ... chuwai*

In this study, there are 7 *danshu* excluding the *subjects*, among which 6 are expressed by syntactic pattern of *danshi, ... chuwai*, and 1 of *dan ... chuwai*. For example:

(8) 经人民法院通知, 证人没有正当理由不出庭作证的, 人民法院可以强制其到庭, **但是**被告人的配偶、父母、子女**除外**。(《刑事诉讼法》第 193 条第 1 款)

jīng rén mín fǎ yuàn tōng zhī, zhèng rén méi yǒu zhèng dāng lǐ yóu bú chū tíng zuò zhèng de, rén mín fǎ yuàn kě yǐ qiáng zhì qí dào tíng, **dàn shì** bèi gào rén de pèi ǒu、fù mǔ、zǐ nǚ **chú wài**.

If, after being notified by the people’s court, a witness fails to testify in court without justified reasons, the people’s court may compel the witness to appear in court, **with the exception of** the spouse, parents and children of the defendant. (Paragraph 1 of Article 193, *Criminal Procedure Law*)

The *danshu* in (8) excludes *the subjects*, specifically the spouse, parents and children of the defendant.

In a word, *de* phrase is widely used in legislative provisions to indicate the *assumption*, to point out the preconditions, conditions or circumstances for the application of a certain legal rule, as well as in *danshu* to exclude certain *situations*, *subjects* and *objects*. When excluding *the situations*, *danshu* are mainly expressed by syntactic pattern of *danshi, ... de chuwai*, when excluding *the subjects* and *the objects*, *danshu* are mainly expressed by *danshi, ... chuwai*.

4.3. The Authorization *danshu* Are Expressed by Syntactic Patterns of *danshi, keyi ..., danshi, youquan ..., and danshi, bu chengdan...*

This study finds that 53 *danshu* granting positive freedom are mainly expressed

by *danshi, keyi* ... (but, may...) and *danshi, youquan* ... (but, have the right to...), while 15 *danshu* granting negative freedom are expressed by *danshi, bu chengdan* ... (but, does not bear...). See **Table 4** below.

4.3.1. When It Comes to Positive Freedom, *danshu* Are Mainly Expressed Syntactic Patterns of *danshi, keyi* ... and *danshi ... de, keyi*...

In this study, 53 *danshu* expressing positive freedom are found, among which 42 instances are expressed by *danshi, keyi* ..., including two specific forms of *danshi, keyi* ... and *danshi ... de, keyi*... For example:

(9) 中介人未促成合同成立的, 不得请求支付报酬; **但是**, 可以按照约定请求委托人支付从事中介活动支出的必要费用。(《民法典》第 946 条)

zhōng jiè rén wèi cù chéng hé tóng chéng lì de, bú dé qǐng qiú zhī fù bào chóu; **dàn shì**, kě yǐ àn zhào yuē dìng qǐng qiú wěi tuō rén zhī fù cóng shì zhōng jiè huó dòng zhī chū de bì yào fèi yòng.

Where a middleman fails to facilitate the conclusion of a contract, he may not request the payment of remuneration, **but may** request the client to pay for the necessary expenses incurred in the intermediary activities in accordance with the agreement. (Article 964 of *Civil Code*)

(10) 被告在作出行政行为时已经收集了证据, **但**因不可抗力等正当事由不能提供**的**, 经人民法院准许, **可以**延期提供。(《行政诉讼法》第 36 条第 1 款)

bèi gào zài zuò chū xíng zhèng xíng wéi shí yǐ jīng shōu jí le zhèng jù, **dàn** yīn bú kě kàng lì děng zhèng dāng shì yóu bú néng tí gòng **de**, jīng rén mín fǎ yuàn zhǔn xǔ, **kě yǐ** yán qī tí gòng.

Table 4. Statistics of authorization *danshu*.

Subclasses of authorization <i>danshu</i>	Syntactic patterns	Specific expressions	No. of instances	Percent (%)
Positive freedom	1. <i>danshi</i> dan, <i>keyi</i> ... (but, may...)	1) <i>danshi</i> ... de, <i>keyi</i> ...	13	19.12%
		2) dan ... de, <i>keyi</i> ...	10	14.71%
		3) <i>danshi</i> ..., <i>keyi</i> ...	19	27.94%
	2. <i>danshi</i> dan, <i>youquan</i> ... (but, have the right to...)	1) <i>danshi</i> ..., <i>youquan</i> ...	2	2.94%
		2) <i>danshi</i> ... de, <i>youquan</i> ...	3	4.41%
		3) <i>danshi</i> ... you ... <i>quanli</i> ...	1	1.47%
		4) dan..., <i>you xuanzequan</i> ...	1	1.47%
	3. Other syntactic patterns	1) dan ... <i>zhineng</i> ...	1	1.47%
		2) <i>danshi</i> ... de, ... <i>huiifu</i> ...	1	1.47%
		3) dan ... de, <i>cong</i> ...	1	1.47%
		4) dan ... de, <i>you</i> ...	1	1.47%
	Negative freedom	1. <i>danshi, bu chengdan</i> ... (but, does not bear...)	1) <i>danshi</i> ... de, <i>bu chengdan</i> ...	11
2) <i>danshi</i> ..., <i>bu chengdan</i> ...			1	1.47%
2. Other <i>danshi, bu V</i> ... (but, does not...)		1) <i>danshi</i> ..., <i>bu fang'ai</i> ...	1	1.47%
		2) <i>danshi</i> ..., <i>bu zai</i> ...	1	1.47%
		3) <i>danshi</i> ..., <i>bu xuyao</i> ...	1	1.47%

If the defendant has collected evidence at the time of the administrative act, **but** cannot provide it due to force majeure and other legitimate reasons, the defendant **may**, with the permission of the people's court, postpone the provision of evidence. (Paragraph 1 of Article 36, *Administrative Procedure Law*)

The *danshu* in (9) and (10) are expressed by *danshi, keyi ...* and *danshi ... de, keyi ...* respectively. From the perspective of linguistic expression, the difference between the two forms lies in the use of *de* phrase, which can be attributable to the *assumption* element of legal rules. When *danshu* shares the same *assumption* element as that of its main clause, it usually takes the form of *danshi, keyi...*, as in example (9). When the *assumption* element in *danshu* differ from that of its main clause, it usually takes the form of *danshi ... de, keyi...*, where *de* phrase functions as *assumption* element, as in example (10).

There are 7 instances of *danshu* expressed by syntactic patterns of *danshi, youquan...*, and specifically including *danshi, youquan...*, *danshi... de, youquan ...* and *dan... you xuanzequan* etc. For example:

(11) 合伙事务由全体合伙人共同执行。按照合伙合同的约定或者全体合伙人的决定，可以委托一个或者数个合伙人执行合伙事务；其他合伙人不再执行合伙事务，**但是有权**监督执行情况。(《民法典》第 970 条第 2 款)

hé huǒ shì wù yóu quán tǐ hé huǒ rén gòng tóng zhí xíng. àn zhào hé huǒ hé tóng de yuē dìng huò zhě quán tǐ hé huǒ rén de jué dìng, kě yǐ wěi tuō yī gè huò zhě shù gè hé huǒ rén zhí háng hé huǒ shì wù; qí tā hé huǒ rén bú zài zhí xíng hé huǒ shì wù, **dàn shì yǒu quán** jiān dū zhí háng qíng kuàng.

The partnership businesses shall be jointly managed by all partners. One or more partners may be authorized to manage the partnership business in accordance with the partnership contract or the decision made by all partners; and the other partners shall cease to manage the partnership business, **except that they have the right to** supervise the management. (Paragraph 2 of Article 970, *Civil Code*)

In addition, there are 4 *danshu* indicating positive freedom are expressed in other syntactic patterns, such as *danshi ... de, hui fu...*, and *dan ... zhineng ...*, etc.

4.3.2. When Indicating Negative Freedom, *danshu* Are Mainly Expressed in Negative Verb form Such as *danshi, bu chengdan...*

In this study, there are 15 *danshu* indicating negative freedom are found, among which 12 instances are expressed in syntactic pattern of *danshi, bu chengdan...* For example:

(12) 民用航空器造成他人损害的,民用航空器的经营者应当承担侵权责任; **但是**,能够证明损害是因受害人故意造成的, **不**承担责任。(《民法典》第 1238 条)

mín yòng háng kōng qì zào chéng tā rén sǔn hài de, mín yòng háng kōng qì de jīng yíng zhě yīng dāng chéng dān qīn quán zé rèn; **dàn shì**, néng gòu zhèng míng sǔn hài shì yīn shòu hài rén gù yì zào chéng **de, bú chéng dān zé** rèn.

Where a civil aircraft causes damage to another person, the operator of the aircraft shall bear tort liability, **provided that** the operator **shall not assume** any

liability if it can be proven that the damage is intentionally caused by the victim. (Article 1238 of *Civil Code*)

In addition, the sentence pattern *danshi, bu V ...* can also be used to express *danshu* indicating negative freedom. For example:

(13) 仅在下列情形下，受害人可以直接对保险人或者担保人提起诉讼，**但是不妨碍**受害人根据有关保险合同或者担保合同的法律规定提起直接诉讼的权利：（《民用航空法》第 168 条）

jǐn zài xià liè qíng xíng xià, shòu hài rén kě yǐ zhí jiē duì bǎo xiǎn rén huò zhě dān bǎo rén tí qǐ sù sòng, **dàn shì bú fǎng ài** shòu hài rén gēn jù yǒu guān bǎo xiǎn hé tóng huò zhě dān bǎo hé tóng de fǎ lǜ guī dìng tí qǐ zhí jiē sù sòng de quán lì.

The victim may directly bring a lawsuit against the insurer or the guarantor only under the following circumstances, **but it does not hinder** the victim's right to bring a direct action in accordance with the relevant laws and regulations on the insurance contract or the security contract. (Article 168 of *Civil Aviation Law*)

Among the words used to grant rights and authorize power, the most frequent and stable words are *keyi* (may), *youquan* (have the right), and *xiangyou* (enjoy) etc., and among which the word *keyi* is most widely used (Liu, 2018: pp. 114-115).

4.4. Obligatory *shanshu* Are Mainly Expressed by Syntactic Patterns of *danshi, yingdang ...* and *danshi, bude...*, and so on

There are 81 *danshu* indicating positive obligations were expressed by *danshi, yingdang...*, and 79 *danshu* indicating negative obligations were expressed by *danshi, bude...*, see **Table 5** below:

Table 5. Linguistic expressions of obligatory *danshu*.

Subclasses of obligatory <i>danshu</i>	Syntactic patterns	Specific expressions	No. of instances	Percent (%)	
Positive obligations	1. <i>danshi, yingdang...</i>	1) <i>danshi, yingdang...</i>	44	27.5%	
		2) <i>dan yingdang...</i>	13	8.13%	
		3) <i>yingdang...</i>	3	1.88%	
	2. <i>danshi, bixu...</i>	1) <i>danshi, bixu...</i>	6	3.75%	
		2) <i>dan bixu...</i>	3	1.88%	
		3) <i>danshi bixu...</i>	2	1.25%	
	3. Other syntactic patterns		1) <i>danshi, ... you...</i>	6	3.75%
			2) <i>danshi, ... bu yingxiang...</i>	2	1.25%
			3) <i>danshi ... de, ... geiyu...</i>	1	0.63%
			4) <i>danshi ... de, ... yi...</i>	1	0.63%
5) <i>danshi ... de, ... shiyong...</i>			1	0.63%	
Negative obligations	1. <i>danshi, bude...</i>	1) <i>danshi, bude...</i>	40	25%	
		2) <i>dan bude...</i>	21	13.13%	

Continued

	1) <i>dan ... buyingxiang...</i>	5	3.13%
	2) <i>danshi, buneng...</i>	3	1.88%
	3) <i>danshi, ... wuquan...</i>	3	1.88%
2. <i>danshi, bu V...</i>	4) <i>danshi, ... bu chaoguo...</i>	3	1.88%
	5) <i>danshi, bu fang'ai...</i>	3	1.88%
	6) <i>danshi..., ... de..., bu huifu...</i>	1	0.63%
	7) <i>dan bu canjia...</i>	1	0.63%

4.4.1. When Expressing Positive Obligations, *danshu* Are Usually Expressed by Syntactic Patterns of *danshi, yingdang ...* and *danshi, bixu..., etc.*

This study finds that *danshu* indicating positive obligations are expressed by *danshi, yingdang...* (60 instances) and *danshi, bixu...* (11 instances) and other syntactic patterns (10 instances) respectively. Among them, the pattern *danshi, yingdang ...* includes specific expressions of *danshi, yingdang..., dan yingdang ...* and *yingdang..., etc.* For example:

(14) 基层人民法院和它派出的法庭审理简单的民事案件，可以用简便方式传唤当事人和证人、送达诉讼文书、审理案件，**但应当**保障当事人陈述意见的权利。(《民事诉讼法》第159条)

jī céng rén mín fǎ yuàn hé tā pài chū de fǎ tíng shěn lǐ jiǎn dān de mǐn shì àn jiàn, kě yǐ yòng jiǎn biàn fāng shì chuán huàn dāng shì rén hé zhèng rén、sòng dá sù sòng wén shū、shěn lǐ àn jiàn, **dàn yīng dāng** bǎo zhàng dāng shì rén chén shù yì jiàn de quán lì.

In trying simple civil instances, the basic people's courts and the courts dispatched by them may summon the parties and witnesses, serve litigation documents and try instances in a simple way, **but** the right of the parties to state their opinions **shall be guaranteed**. (Article 159 of *Civil Procedure Law*)

The syntactic pattern *danshi, bixu...* includes specific expressions of *danshi, bixu..., dan..., bixu...* and *danshi xujing..., etc.* For example:

(15) 文物保护单位的保护范围内不得进行其他建设工程或者爆破、钻探、挖掘等作业。**但是, ...的, 必须**保证文物保护单位的安全, 并经核定公布该文物保护单位的人民政府批准, 在批准前应当征得上一级人民政府文物行政部门同意; **...的, 必须**经省、自治区、直辖市人民政府批准, 在批准前应当征得国务院文物行政部门同意。(《文物保护法》第17条)

wén wù bǎo hù dān wèi de bǎo hù fàn wéi nèi bú dé jìn xíng qí tā jiàn shè gōng chéng huò zhě bào pò、zuàn tàn、wā jué děng zuò yè. **dàn shì, ... de, bì xū** bǎo zhèng wén wù bǎo hù dān wèi de ān quán, bìng jīng hé dìng gōng bù gāi wén wù bǎo hù dān wèi de rén mín zhèng fǔ pī zhǔn, zài pī zhǔn qián yīng dāng zhēng dé shàng yī jí rén mín zhèng fǔ wén wù xíng zhèng bù mén tóng yì; **... de, bì xū** jīng shěng、zì zhì qū、zhí xiá shì rén mín zhèng fǔ pī zhǔn, zài pī zhǔn qián yīng dāng zhēng dé guó wù yuàn wén wù háng zhèng bù mén tóng yì.

No other construction projects or blasting, drilling, excavation and other op-

erations shall be carried out within the scope of protection of cultural relics protection units. **But** it is necessary to ensure the safety of the site to be protected for its historical and cultural value, and **shall be** approved by the people's government which has approved and published the site for protection of its cultural relics, and prior to approval, the consent of the administrative department for cultural relics of the people's government at the next higher level shall be obtained. The approval of the people's Government of a province, autonomous region or municipality directly under the central government **must be** obtained, and prior to approval, the consent of the administrative department for cultural relics under the State Council shall be obtained. (Article 17 of *Law on the Protection of Cultural Relics*)

The *danshu* in example (14) is expressed by *danshi, yingdang ...* and *danshu* in example (15) are expressed by 2 *danshi, bixu...*

In addition, the *danshu* indicating positive obligations can also be expressed by syntactic patterns such as *danshi, ... you ..., danshi, ... bu yingxiang ..., danshi ... de, ... geiyu ...,* etc. For example:

(16) 董事会成员由国有资产监督管理机构委派；**但是**，董事会成员中的职工代表由公司职工代表大会选举产生。(《公司法》第 67 条第 2 款)

dǒng shì huì chéng yuán yóu guó yǒu zī chǎn jiān dū guǎn lǐ jī gòu wěi pài;
dàn shì, dǒng shì huì chéng yuán zhōng de zhí gōng dài biǎo **yóu** gōng sī zhí gōng dài biǎo dà huì xuǎn jǔ chǎn shēng.

The members of the board of directors shall be appointed by the state-owned assets supervision and administration institution; **however**, the employee representatives among the members of the board of directors **shall be** elected by the staff congress of the company. (Paragraph 2 of Article 67, *Company Law*)

The *danshu* indicating positive obligations are often expressed by the terms *yingdang* (shall), *yinggai* (shall), *bixu* (must), etc. (Zhang, 2018: p. 118; Xu & Bian, 2017: p. 303). However, there are some differences in the degree between the term *yingdang* and *bixu*, so the latter must be used in some circumstances (Liu, 2007: pp. 119-120). This study finds that *danshu* indicating positive obligation are mainly expressed by syntactic patterns of *danshi, yingdang...* and fewer instances by *danshi, bixu ...* and *danshi, yizhao...*, etc. The term *yingdang* in ethics refers to the provisions required by morality (Editorial Board, 2010: p. 2280). Law is the minimum moral standard, therefore, the term *yingdang* is widely used in legislative texts, which shows that the obligor shall perform certain positive obligations to ensure the realization of other people's rights.

4.4.2. When Indicating Negative Obligations, *danshu* Are Expressed by Syntactic Patterns of *danshi, bude...* and *danshi, bu V...*

This study finds that 61 *danshu* indicating negative obligations are expressed by *danshi, bude...*, and specifically by *danshi, bude ...* (40 instances) and *dan ... bude ...* (21 instances) respectively. For example:

(17) 法律对行政处罚及处罚机关有其他规定的，从其规定。**但是**，对同一违法行为**不得**重复处罚。(《农产品质量安全法》第 52 条第 2 款)

fǎ lǜ duì xíng zhèng chù fá jí chù fá jī guān yǒu qí tā guī dìng de, cóng qí guī dìng. **dàn shì**, duì tóng yī wéi fǎ xíng wéi **bú dé** zhòng fù chù fá.

If the law has other provisions on administrative penalty and penalty organs, such provisions shall prevail. **However**, the same illegal act **shall not be** punished repeatedly. (Paragraph 2 of Article 52, *The Law on the Quality and Safety of Agricultural Products*)

This study also finds 18 *danshu* indicating negative obligations are expressed by syntactic pattern of *danshi, bu V...*, including specifically *danshi, ... wuquan...*, *danshi, ... bu chaoguo ...* and *danshi, bu fang'ai...* For example:

(18) 房地产抵押合同签订后, 土地上新增的房屋不属于抵押财产。需要拍卖该抵押的房地产时, 可以依法将土地上新增的房屋与抵押财产一同拍卖, **但**对拍卖新增房屋所得, 抵押权人**无权**优先受偿。(《城市房地产管理法》第 52 条)

fáng dì chǎn dǐ yā hé tóng qiān dìng hòu, tǔ dì shàng xīn zēng de fáng wū bú shǔ yú dǐ yā cái chǎn. xū yào pāi mài gāi dǐ yā de fáng dì chǎn shí, kě yǐ yī fǎ jiāng tǔ dì shàng xīn zēng de fáng wū yǔ dǐ yā cái chǎn yī tóng pāi mài, **dàn** duì pāi mài xīn zēng fáng wū suǒ dé, dǐ yā quán rén **wú quán** yōu xiān shòu cháng.

When it is necessary to auction the mortgaged real estate, the newly added houses on the land may be auctioned together with the mortgaged property in accordance with the law, **but** the mortgagee **has no priority** to be compensated for the income from the auction of the new houses. (Article 52 of *Law of Urban Real Estate Management*)

When people are asked not to carry out certain behavior, the negative obligations are usually expressed by core terms of *bude ...* (may not) and *jinzhi ...* (prohibit) etc. (Xu & Bian, 2017: p. 304). Zhang Wenxian (2018: p. 118) also points out that the terms *bude*, *jinzhi* and *yanjin* (prohibit) etc. are employed to express negative obligations, or the adverse legal consequences are added after describing the behavior mode. This study finds that *danshu* indicating negative obligations are most widely expressed by syntactic pattern of *danshi/dan, bude...*

In a word, among the terms in legislative texts, some core terms are necessary to play the dominant role. Core terms are the most widely used linguistic materials for the expression of legal norm, which support the framework of legislative texts (Liu, 2018: p. 114). According to Gong Mingyu et al. (2020: pp. 348-349), it takes a fairly long time for the deontic terms *keyi*, *yingdang* and *bude* to establish a dominant share in the expression of rights and obligations respectively, and they takes this dominant place in 1990, 1991 and 1990 respectively. No matter what the specific form is, the core terms can be used to express the same meaning, but the form should be adjusted according to the content and context of legislative texts (Liu, 2018: pp. 115-116).

4.5. The Disyllabic Tendency of the Introductory Words of *danshu*

First, the use and function of the words *dan* and *danshi* are basically the same. In modern Chinese, the words *dan* and *danshi* are basically the same in use ... (Zhang, 2001: p. 131). In modern legislative texts, both *dan* and *danshi* can be

used to introduce *danshu*, and their roles and functions are the same (Legislative Affairs Committee of NPC, 2009). Yao Shuangyun (2017: p. 218) finds that in legal provisions, *danshi* appears 136 times, with 47.5 times of standardization per 100,000 words; 123 times of *dan* and 43.0 times of standardization per 100,000 words.

Second, there is a disyllabic tendency of the introductory words in *danshu*. This study finds that 422 instances of *danshu* are introduced by *danshi* and only 120 instances by *dan*. Before the promulgation of *the Civil Code*, the *danshu* in *the General Provisions of Civil Law*, *Contract Law*, *Property Law* and other civil laws are introduced by *dan* and *danshi* interchangeably in most instances. As stated by Zhou Wangsheng (2009: p. 482), in legislative texts, the same words and concepts should express the same meaning, and different words and concepts should express different meanings. For example, *danshu* in the same law or code cannot be introduced by *dan* and *danshi* interchangeably (Zhou, 2009: p. 482). Finally, 215 *danshu* of *Civil Code* are exclusively introduced by disyllabic *danshi*, which shows that the codification of laws can not only promote the scientification but also the normalization of legislation, and there is a disyllabic tendency of the introductory words in *danshu* in Chinese legislation. The codification of *Civil Code* provides rich experience in the normalization of linguistic expression of legislative texts.

5. Conclusion

This study has described the linguistic expressions of *danshu* (provisos) in Chinese laws, and it will shed light on the standardization of Chinese laws, especially the syntactic patterns and core lexis of *danshu* thereof. Based on a self-built mini-corpus of *danshu* of Chinese legislative texts, this study has classified *danshu* into four types according to their content, and finds that: 1) the linguistic expressions of exclusionary *danshu*. When excluding *the situations*, *danshu* are expressed by syntactic pattern of *danshi, ... de chuwai* (but ... except); when excluding *the objects* and *the subjects*, *danshu* are expressed by *danshi, ... chuwai* (but ... except). 2) The linguistic expressions of authorization *danshu*. When indicating positive freedom, *danshu* are mainly expressed by syntactic pattern of *danshi, keyi ...* (but ... may), while those for negative freedom by *danshi, bu chengdan ...* (but ... does not bear...). 3) The linguistic expressions of obligatory *danshu*. The *danshu* imposing positive obligations are mainly expressed by syntactic pattern of *danshi, yingdang ...* (but ... shall), and those imposing negative obligations by *danshi, bude ...* (but ... shall not). 4) There is a disyllabic tendency for the introductory words of *danshu*, namely a shift from *dan* (but) to *danshi* (but/however). This study describes quantitatively the linguistic expressions of *danshu*, and discusses the syntactic pattern and core lexis of each sub-types based on its content, and the research result will be more objective and reliable.

According to the variability of language, the proviso in each language has its features, and this study has just discussed the linguistic expression of *danshu*

(proviso) in Chinese legislative texts, and further work could include the linguistic expressions of provisos in other languages.

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Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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