

Article

A Corpus-Based Pragmatic Study of the Formulation of Definitions and Legal Rulings in Sharia and Law College Curricula at Saudi Universities

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Abstract

Sharia and Law colleges in Saudi universities provide a distinctive educational setting in which classical Islamic jurisprudential discourse and contemporary statutory legal discourse coexist within the same curriculum. Despite this shared institutional context, the pragmatic characteristics of these coexisting normative genres remain largely unexplored from a corpus-based perspective. This study examines how genre differences influence the linguistic formulation of legal definitions and religious rulings across four officially prescribed texts: two classical Hanbali works—*Rawḍat al-Nāẓir* by Ibn Qudāma and *Al-Rawḍ al-Murbiʿ* by al-Buhūṭī—and two contemporary Saudi statutes—the Civil Transactions Law and the Law of Criminal Procedure. A purpose-built corpus of approximately 480,000 words was analysed using a corpus-assisted discourse analysis design integrating quantitative frequency and keyword analysis with systematic manual pragmatic coding within a triangulated theoretical framework. The findings show that differences in disciplinary genre are systematically reflected in distinct pragmatic profiles. *Rawḍat al-Nāẓir* is characterised by assertive-definitional speech acts and methodological deontic expressions, whereas *Al-Rawḍ al-Murbiʿ* is dominated by directive speech acts associated with applied legal rulings. The statutory texts employ standardised legislative constructions, including negative-exceptional formulations, formal prohibition markers, and institution-specific obligation structures. The Civil Transactions Law further exhibits a hybrid pragmatic register through the incorporation of classical jurisprudential maxims into enacted statutory provisions. Based on the systematic literature review undertaken for this study, the findings provide what is, to the best of the authors' knowledge, the first corpus-based pragmatic comparison of these coexisting curricular genres. The study thereby contributes to Arabic legal linguistics, corpus pragmatics, and the linguistic analysis of legal education, while offering empirically grounded insights for curriculum development in Sharia and Law programmes.



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1. Introduction

The relationship between law and language has long been recognised as a distinct interdisciplinary field of inquiry, grounded in the premise that legal systems operate through language and that legal meaning is inseparable from its linguistic formulation. Since Mellinkoff's (1963) pioneering work *The Language of the Law*, research in legal linguistics has

consistently demonstrated that legal discourse constitutes a specialised register governed by distinctive lexical, syntactic, pragmatic, and interpretive conventions (Danet, 1984; Tiersma, 1999; Solan & Tiersma, 2005). Rather than serving merely as a vehicle for transmitting information, legal language performs institutional functions by creating rights, imposing obligations, granting permissions, and establishing prohibitions through linguistically recognised performative acts (Kurzon, 1986; Trosborg, 1997; Marmor & Soames, 2011). More recently, advances in corpus linguistics and legal pragmatics have shifted attention towards the empirical investigation of legal discourse, demonstrating that legal meaning emerges not only from lexical and syntactic choices but also from speech acts, deontic modality, contextual inference, and discourse organisation (Capone & Poggi, 2016; Goźdz-Roszkowski, 2021; Galdia, 2022).

Within Arabic scholarship, the interaction between language and legal reasoning has likewise attracted sustained scholarly attention. Classical Islamic legal theory has long regarded linguistic analysis as a fundamental prerequisite for legal interpretation and juristic reasoning (Carter, 2007; Anwar, 2017), while more recent corpus-based studies have examined Arabic constitutional discourse, legislative drafting, deontic modality, legal translation, and lexical variation in Islamic legal discourse (Attia & Abu-Ssaydeh, 2018; El-Farahaty & Elewa, 2020; El-Farahaty et al., 2023; Roshdy, 2024). Nevertheless, existing research has focused primarily on constitutions, legislative texts, legal translation, and other institutional legal genres. Comparatively little attention has been devoted to the institutional genre of officially prescribed university course materials, where classical Islamic jurisprudential works—such as *Rawḍat al-Nāẓir* and *Al-Rawḍ al-Murbi*—are studied alongside contemporary Saudi statutory legislation within a single educational curriculum. Based on the systematic literature review undertaken for this study, no previous corpus-based pragmatic investigation was identified that examines how these two normative traditions are linguistically formulated within officially prescribed Saudi Sharia and Law curricula. Against this background, the present study investigates the pragmatic formulation of legal definitions and religious rulings across both classical jurisprudential texts and contemporary Saudi legal statutes.

Language does not merely describe the law—it enacts it. In legal and religious institutional settings, the formulation of definitions, rulings, and normative prescriptions constitutes a performative act in the fullest sense: it creates obligations, confers permissions, and establishes prohibitions that shape the behaviour of those subject to them. This fundamentally pragmatic character of legal and religious language has attracted growing scholarly attention over recent decades. However, the institutional genre of university course materials—where legal and religious discourse is simultaneously transmitted, pedagogically framed, and academically reproduced—remains largely unexplored from a corpus-based pragmatic perspective. Within Saudi Sharia and Law programmes, this educational context is particularly distinctive because it brings together coexisting normative genres that perform different disciplinary and communicative functions while serving complementary curricular roles. Accordingly, the present study investigates how genre differences influence the linguistic and pragmatic formulation of legal definitions and religious rulings in officially prescribed course materials at Sharia and Law colleges in Saudi universities. Using a corpus-assisted pragmatic approach, the study examines how the distinct communicative functions of classical jurisprudential and contemporary statutory genres are reflected in patterns of deontic modality, speech acts, implicature, and presupposition.

The theoretical foundations of this inquiry rest on three converging traditions. Pragmatics, as inaugurated by Austin (1962) and developed by Searle (1969), established that language use is irreducibly action-oriented: utterances do not simply convey propositional content but perform social and institutional acts with specifiable illocutionary forces and

real-world consequences. Grice's (1975) account of conversational implicature extended this insight by demonstrating that meaning routinely exceeds what is literally said, and that the recovery of pragmatic meaning requires reasoning about communicative intentions, contextual norms, and cooperative principles. Alongside these foundational contributions, the analysis of deontic modality—the linguistic encoding of obligation, permission, and prohibition—has emerged as a central concern in the study of legal language, where the precise force of normative expressions carries direct institutional and juridical significance (Palmer, 2001; Biel, 2014). Together, these frameworks provide the analytical vocabulary for investigating how course materials in Sharia and Law colleges construct normative meaning, assign responsibilities, and regulate the interpretive behaviour of student readers.

The development of corpus linguistics has profoundly transformed pragmatic inquiry by enabling the systematic, large-scale analysis of authentic language data (Sinclair, 1991; Biber et al., 1998; Aijmer & Rühlemann, 2015). Corpus-based methods offer particular advantages for legal discourse research because they enable the systematic identification of recurrent deontic patterns, lexical frequencies, and distributional asymmetries across different text types, providing an empirical foundation that complements and strengthens intuition-based analysis. El-Farahaty and Elewa (2020) demonstrated the value of this approach through a corpus-based investigation of deontic modality in Arabic and English constitutional texts, showing that Arabic legal drafting lacks fully standardised conventions for expressing obligation and prohibition and that translators may inadvertently substitute epistemic modals for deontic ones, thereby weakening the normative force of the source text. Elewa and El-Farahaty (2022) extended this line of research to Islamic legal translation by examining the interaction between deontic modal auxiliaries and grammatical gender in corpus-based analyses of Qur'ānic and Hadith texts. More recently, Al Qahtani (2026) applied a similar corpus-based framework to Saudi Labour Law, identifying *shall*, *must*, and *may* as the principal deontic markers structuring obligation, permission, and prohibition in Saudi legal discourse. Likewise, Al-Dosari (2025) documented interpretive ambiguity arising from inconsistent expressions of legal obligation in Saudi legislative drafting and argued for the adoption of more precise and consistent normative language.

Parallel developments in the pragmatic analysis of Arabic religious discourse have produced a substantial body of findings with direct relevance to the present study. Across analyses of Quranic texts, Prophetic hadiths, and fatwa discourse, directive speech acts—including commands, prohibitions, requests, and rulings—consistently emerge as the dominant illocutionary category (Maesaroh et al., 2026; Al-Mekhlafy, 2025; Maknun, 2017). A central and recurring finding, however, is that surface-form identification of speech acts is systematically insufficient for Arabic religious texts: pragmatic function is frequently indirectly encoded and requires contextual, exegetical, and cultural interpretation that automated corpus methods alone cannot supply (Al-Mekhlafy, 2025; Hussein et al., n.d.; Alwan, 2025). This finding is particularly relevant for the *uṣūl al-fiqh* tradition, in which the classical distinction between *khbar* (informative discourse) and *inshā'* (performative discourse) constitutes an indigenous pragmatic framework for analysing the illocutionary structure of normative texts—a framework that recent scholarship has shown to be productively compatible with Austinian and Searlean speech act theory (Gharaybeh, 2024). The intersection of these two traditions—contemporary corpus pragmatics and classical Islamic legal theory—opens a theoretically rich avenue for investigating the formulation of definitions and rulings in Saudi Sharia and Law college curricula.

Saudi Arabia occupies a distinctive position in the landscape of legal education because its higher education system institutionalises the coexistence of Islamic jurispru-

dence and positive law within a single curricular framework. Sharia and Law colleges at major Saudi universities—including the Islamic University of Madinah and Jouf University—prescribe both classical fiqh texts, represented in the present study by Ibn Qudāma’s *Rawḍat al-Nāẓir wa-Junnat al-Munāẓir* and al-Buhūṭī’s *Al-Rawḍ al-Murbi’ Sharḥ Zād al-Mustaqni’*, and contemporary Saudi statutory legislation, represented by the *Civil Transactions Law* (*Nizām al-Mu’āmalāt al-Madaniyya*, 1444 AH) (Kingdom of Saudi Arabia, 2023) and the *Law of Criminal Procedure* (*Nizām al-Ijrā’āt al-Jazā’iyya*, 1435 AH) (Kingdom of Saudi Arabia, 2013). This curricular architecture creates a dual-register textual environment in which two distinct deontic systems—one grounded in divine authority and transmitted through the jurisprudential tradition, and the other grounded in state authority and expressed through legislative convention—coexist within the same educational context. The pragmatic characteristics of these coexisting normative registers, and the ways in which they are linguistically formulated in officially prescribed curricular texts, have not previously been investigated through corpus-based analysis.

Systematic reviews of the relevant literature confirm the originality of the present study. Previous corpus-pragmatic research on Arabic legal and religious discourse has not examined officially adopted course materials in Saudi Sharia and Law colleges as a primary corpus, nor has it investigated the pragmatic interface between jurisprudential and positive-legal formulation strategies within the same educational genre (cf. Hawamdeh et al., 2025). Studies of Arabic legal corpora have focused primarily on constitutional texts, labour law provisions, divorce contracts, and administrative notices (El-Farahaty & Elewa, 2020; Al Qahtani, 2026; Khalaf et al., 2023; Abdulraheem, 2026), while studies of Arabic religious pragmatics have concentrated on Qur’anic discourse, hadith, and fatwas (Alharbi et al., 2024; Jabour & Hussein, 2024; Youssef, 2021). The genre of the academic legal-religious textbook—situated at the intersection of pedagogical, institutional, and normative discourses—remains largely unexplored in corpus pragmatics.

The present study seeks to fill this gap through a corpus-based pragmatic investigation of officially adopted course materials at the Islamic University of Madinah and Jouf University. It addresses four research questions: (1) What speech act patterns dominate the formulation of legal definitions and religious rulings in the corpus? (2) How are deontic markers of obligation, permission, and prohibition distributed across jurisprudential and positive-legal course materials? (3) What patterns of conversational implicature and presupposition are embedded in the formulation of normative content? (4) How do the pragmatic strategies employed in Islamic jurisprudence materials compare with those in positive law materials within the same curricula? By addressing these questions, the study contributes to corpus pragmatics, Arabic legal linguistics, and the pedagogy of legal and religious higher education in Saudi Arabia, offering findings of theoretical and practical relevance to researchers, curriculum designers, legal educators, and policymakers concerned with the communicative effectiveness of Sharia and Law education.

2. Materials and Methods

2.1. Research Design

This study adopts a corpus-based pragmatic research design grounded in both methodological and theoretical triangulation, combining quantitative distributional analysis with systematic qualitative pragmatic coding. Methodologically, the study integrates corpus-based frequency analysis, manual pragmatic coding, and qualitative analysis of conversational implicature and presupposition. Theoretically, it draws upon Speech Act Theory, the Cooperative Principle, deontic modality analysis, and the classical *uṣūl al-fiqh* distinction between *khabar* (informative discourse) and *inshā’* (performative discourse). The integration of these complementary analytical methods and theoretical perspectives

enables a more comprehensive and robust account of the pragmatic formulation of legal definitions and religious rulings than would be possible through reliance on a single methodological or theoretical framework.

The research design follows the corpus-assisted discourse analysis paradigm (Partington, 2004; Flowerdew, 2012), in which corpus tools are employed to identify statistically significant patterns that subsequently serve as the point of departure for theoretically informed pragmatic interpretation. This sequential design—moving from quantitative identification to qualitative interpretation—allows distributional patterns identified through corpus analysis to be systematically validated and pragmatically interpreted through manual coding and contextual analysis. Such triangulation is particularly important for Arabic legal and religious texts, where pragmatic meaning is frequently encoded indirectly and requires contextual interpretation beyond what automated surface-form analysis can reliably capture (El-Farahaty & Elewa, 2020; Hawamdeh et al., 2025).

2.2. Corpus Construction

2.2.1. Corpus Design Principles

The study corpus was designed according to three interrelated principles: representativeness, functional comparability, and institutional authenticity. Representativeness was achieved by sampling texts from two Saudi universities and incorporating both classical Islamic jurisprudential works and contemporary Saudi statutory instruments that collectively reflect the dual structure of Sharia and Law education. Institutional authenticity was ensured by restricting the corpus exclusively to officially prescribed course materials, thereby excluding supplementary readings, lecture notes, and student-produced texts.

Functional comparability, rather than genre equivalence, constituted the primary criterion for corpus construction. The selected texts were not intended to represent identical literary, jurisprudential, or legal genres; instead, they were chosen because they fulfil comparable pedagogical functions within the same Sharia and Law curricula. Specifically, they constitute the principal normative texts through which students encounter legal definitions, doctrinal concepts, obligations, permissions, and prohibitions in both Islamic jurisprudence and contemporary Saudi law. The contemporary statutory texts were selected because they are the officially prescribed legal references for the corresponding law courses and therefore provide the most appropriate contemporary counterpart to the classical jurisprudential works included in the curriculum.

Accordingly, the comparison undertaken in this study is functional and pragmatic rather than historical or doctrinal. Differences in historical background, institutional authority, disciplinary tradition, and legal reasoning are recognised as inherent characteristics of the respective genres rather than as methodological obstacles to comparison. These genre-specific characteristics are therefore treated as analytically meaningful variables that contribute to explaining variation in speech-act patterns, deontic formulation, and other pragmatic features across the corpus.

2.2.2. Text Selection and Inclusion Criteria

The selection of corpus texts was guided by explicit inclusion criteria designed to ensure institutional relevance, functional comparability, and analytical coherence rather than historical or chronological equivalence. First, only officially prescribed course materials adopted within the Sharia and Law curricula of the participating universities were included, ensuring that all texts represent the authentic instructional resources encountered by students. Second, the selected texts were required to occupy comparable curricular functions within the programme, representing the principal sources through which students engage with normative legal and jurisprudential discourse. Third, the contempo-

rary legal texts were selected because they constitute the primary statutory references prescribed for the corresponding law courses and therefore provide the most appropriate contemporary counterpart to the classical jurisprudential works examined in the curriculum.

The comparison undertaken in this study is not intended as a historical, doctrinal, or socio-political comparison between classical Islamic jurisprudence and modern Saudi legislation. Rather, it is a cross-genre pragmatic comparison focusing on how normative meaning is linguistically formulated in texts that coexist within the same educational context. Although the selected texts differ in their historical origins, institutional authority, and socio-political contexts, they perform comparable pedagogical functions by serving as the principal normative texts through which students acquire legal concepts, definitions, obligations, permissions, and prohibitions. Consequently, comparability is established at the level of communicative function within the curriculum rather than at the level of historical context or legal origin.

Furthermore, the study does not examine the substantive development of legal doctrine or the historical variation of juristic opinions across regions or schools of law. Instead, it investigates the pragmatic formulation of normative discourse as presented in the officially prescribed texts themselves. By restricting the analysis to institutional course materials currently adopted within Saudi higher education, the study controls for broader historical and geographical variation while maintaining a consistent educational frame of reference.

2.2.3. Source Institutions

The corpus draws on officially adopted textbooks and statutory texts from Sharia and Law colleges at two Saudi universities selected on the basis of institutional prominence, curricular complementarity, and the availability of officially prescribed course materials:

- The Islamic University of Madinah (IUM), Madinah
- Jouf University (JU), Sakaka

These two institutions represent complementary models of Sharia and Law education: the Islamic University of Madinah is one of the oldest and most internationally recognised institutions of specialised Islamic higher education, with a curriculum rooted in classical jurisprudential tradition; Jouf University represents the regional comprehensive university model in the northern region of the Kingdom, offering a Sharia and Law curriculum that reflects both unified national standards and the specific socio-legal needs of the region. Both institutions prescribe the same classical jurisprudential texts, enabling direct cross-institutional comparability for the *fiqh* and *uṣūl al-fiqh* components of the corpus.

To further strengthen institutional authenticity, the corpus texts were verified against the officially published study plans and official curriculum documents of the participating universities. At the Islamic University of Madinah, *Rawḍat al-Nāẓir* is prescribed for the *Uṣūl al-Fiqh* course (USUL 3220), while *Al-Rawḍ al-Murbi* is prescribed for the *Fiqh* course (FIQH 3312). The *Civil Transactions Law* is prescribed for the Sources of Obligation course (LAW 3320), and the *Law of Criminal Procedure* is prescribed for the Criminal Procedure course (LAW 3654). At Jouf University, the corresponding courses are *Uṣūl al-Fiqh* (SHAR 313), *Fiqh* (SHAR 1123), Sources of Obligation (LAWS 1112), and Criminal Procedure (LAWS 431), for which the corresponding prescribed texts were verified as the officially adopted instructional materials. The inclusion of these texts was therefore based on their documented curricular status in the participating institutions rather than on researcher preference, thereby providing direct documentary evidence for the institutional authenticity of the corpus.

2.2.4. Corpus Composition

The corpus comprises four officially prescribed texts representing two curricular components. Table 1 presents full corpus statistics; the four texts and their curricular roles are as follows.

Table 1. Corpus composition and word counts.

Sub-Corpus	Text	Author/Authority	Period	Words
Jurisprudential—Legal Theory	Rawḍat al-Nāẓir wa-Junnat al-Munāẓir	Ibn Qudāma al-Maqdisī (d. 620 AH)	Classical	263,053
Jurisprudential—Applied Fiqh	Al-Rawḍ al-Murbi‘ Sharḥ Zād al-Mustaḥṣi	Al-Buhūtī (d. 1051 AH)	Classical	163,791
Legal—Sources of Obligation	Civil Transactions Law (Nizām al-Mu‘āmalāt al-Madaniyya)	Royal Decree M/191, 1444 AH	Contemporary	~30,000
Legal—Criminal Procedure	Law of Criminal Procedure (Nizām al-Ijrā‘āt al-Jazā‘iyya)	Royal Decree M/2, 1435 AH	Contemporary	~25,000
Total				~480,000

The jurisprudential sub-corpus consists of two classical Hanbali works prescribed uniformly across both institutions:

- *Rawḍat al-Nāẓir wa-Junnat al-Munāẓir* by Ibn Qudāma al-Maqdisī (d. 620 AH) ([Ibn Qudāma al-Maqdisī, 1999](#)), the prescribed text for legal theory (uṣūl al-fiqh), totalling 263,053 words across two volumes;
- *Al-Rawḍ al-Murbi‘ Sharḥ Zād al-Mustaḥṣi* by Maṣṣūr ibn Yūnus al-Buhūtī (d. 1051 AH) ([Al-Buhūtī, 2017](#)), the prescribed text for applied Islamic jurisprudence (fiqh), totalling 163,791 words across two volumes.

Both texts are studied in their original classical Arabic form without pedagogical simplification or editorial adaptation, creating a linguistically demanding environment in which students engage directly with pre-modern jurisprudential Arabic alongside contemporary statutory legal language.

The positive-legal sub-corpus consists of two contemporary Saudi statutory instruments enacted within the Saudi legal system. Although these statutes belong to the modern codified legal framework of the Kingdom rather than to a classical jurisprudential school, they were selected because they constitute the officially prescribed legal texts in the curricula examined and operate within a legal system whose legislation is grounded in Islamic law and informed predominantly by the Hanbali legal tradition. Accordingly, they provide an appropriate contemporary counterpart to the classical Hanbali jurisprudential works analysed in this study.

- The Civil Transactions Law (Nizām al-Mu‘āmalāt al-Madaniyya), promulgated by Royal Decree M/191 in 1444 AH (2023 CE), serving as the primary reference for the sources of obligation (mawārid al-iltizām) component of the curriculum;
- The Law of Criminal Procedure (Nizām al-Ijrā‘āt al-Jazā‘iyya), promulgated by Royal Decree M/2 in 1435 AH (2013 CE), serving as the primary reference for the criminal procedure component of the curriculum.

The combined corpus totals approximately 480,000 words. Textual units selected for analysis were restricted to definitional passages—sections in which legal concepts, jurisprudential terms, or normative categories are formally defined—and ruling passages—sections in which obligations, permissions, or prohibitions are formally stated. Prefatory

material, bibliographies, indexes, and footnotes were excluded from the analytical corpus but retained as paratextual reference material.

2.2.5. Corpus Preparation and Digitisation

All source texts were digitised from their original printed or PDF formats into plain Unicode text files encoded in UTF-8 to ensure full compatibility with Arabic corpus analysis software. The digitisation process involved optical character recognition (OCR) followed by systematic manual verification to identify and correct recognition errors, particularly those affecting Arabic characters, punctuation, and word boundaries. Orthographic variation, including alternative forms of *hamza*, *alif*, and *tā' marbūṭah*, was normalised to ensure consistency across the corpus while preserving the lexical identity of the original texts. Diacritical marks were standardised where necessary to minimise inconsistencies introduced during digitisation.

To preserve the authenticity of the source materials, no linguistic normalisation beyond orthographic standardisation was undertaken. Morphological preprocessing, stemming, lemmatisation, part-of-speech tagging, and automatic annotation were deliberately excluded prior to corpus loading so that lexical frequencies, deontic constructions, and other pragmatic features would reflect the natural distribution of the original texts. Corpus retrieval and frequency analysis were conducted using the Shamela Digital Library, a searchable digital repository of Islamic and Arabic texts that provides full-text retrieval functions. Searches were performed on the original surface forms of the texts without stop-word removal or automatic morphological segmentation. Multi-word deontic expressions (e.g., *lā yajūzu*, *lā yahillu*) were treated as complete lexical units, while relevant orthographic and inflectional variants were identified and verified manually through repeated concordance inspection to ensure counting accuracy and contextual consistency.

Following preparation, each text was subjected to a final manual quality check before analysis. The classical jurisprudential corpus was analysed using the Shamela Digital Library, a searchable digital repository of Islamic and Arabic texts that provides full-text retrieval and concordance functions. The software was used to retrieve all occurrences of the predefined lexical markers and multi-word deontic expressions included in the analytical framework. The contemporary statutory texts were analysed using the same search procedures after conversion into searchable Unicode text. All retrieved occurrences were manually verified through concordance inspection to ensure counting accuracy and contextual relevance.

2.3. Analytical Framework and Procedure

2.3.1. Stage One: Corpus-Based Frequency Analysis

In the first analytical stage, frequency analysis of deontic lexical markers was conducted using a pre-established list of Arabic deontic expressions derived from the literature (El-Farahaty & Elewa, 2020; Al Qahtani, 2026; Farghal, 2018), including markers of obligation (يجب, ينبغي, يتعين, يلزم, واجب, فرض), permission (يجوز, يحل, مباح, جائز, لا بأس), and prohibition (يحرم, يمنع, لا يجوز, لا يحل, محرم, حرام, يحظر), as well as definitional markers (يعرف, تعريف, المراد, المقصود). Frequency counts and normalised frequencies per 10,000 words were computed for each marker across the full corpus and across each sub-corpus. A definitional marker category was added to the standard deontic taxonomy in response to the theoretical significance of the *khbar/inshā'* distinction in *uṣūl al-fiqh*, which identifies definitional and informative discourse as a distinct pragmatic mode from prescriptive discourse. Keyword analysis was performed using the log-likelihood statistical test (Dunning, 1993) to identify lexical items that are statistically significantly more frequent in the jurispuden-

tial sub-corpus relative to the positive-legal sub-corpus, and vice versa, enabling the identification of domain-specific pragmatic vocabulary beyond the pre-established marker list.

Frequency counts were based on the original surface forms of lexical items as they appeared in the corpus. No stemming, lemmatisation, or automatic morphological segmentation was applied. Multi-word deontic expressions (e.g., لا يجوز, لا يحل) were searched and counted as complete lexical units, while orthographic and inflectional variants relevant to each predefined marker were identified and verified manually through repeated concordance inspection.

2.3.2. Stage Two: Speech Act Classification and Pragmatic Coding

In the second analytical stage, a stratified random sample of definitional and ruling passages was extracted from the corpus for systematic manual pragmatic coding. The sample comprised 200 passages—50 from each of the four sub-corpora—selected to ensure balanced representation of the corpus components while facilitating systematic comparison across the two curricular traditions. Each passage was coded independently by two trained annotators using a coding scheme adapted from Searle's (1969) five-category taxonomy of illocutionary acts—assertives, directives, commissives, expressives, and declaratives—supplemented by the classical *uṣūl al-fiqh* distinction between *khābar* (informative discourse) and *inshāʾ* (performative discourse) to capture pragmatic categories specific to Islamic legal discourse that are not fully accommodated within Searle's framework.

The coding scheme classified each passage according to its primary illocutionary force. Assertives comprised definitional, descriptive, and explanatory statements, whereas directives included linguistic forms expressing obligation, prohibition, permission, and recommendation. Commissives, expressives, and declaratives were retained within the coding framework for theoretical completeness, although they occurred only rarely in the corpus. The *khābar–inshāʾ* distinction was applied as an additional analytical layer to distinguish informative formulations from performative normative formulations characteristic of Islamic legal discourse.

Prior to formal annotation, both annotators completed a structured calibration and training phase using a pilot sample that was not included in the analytical dataset. During this stage, the coding manual was reviewed, category definitions were refined, and coding criteria were clarified to ensure consistent application of the coding framework before independent annotation commenced.

Borderline cases primarily involved passages that simultaneously performed both informative and normative functions, for example, by defining a legal concept while also expressing an obligation, permission, or prohibition. Such cases were resolved by identifying the dominant illocutionary force within the immediate linguistic and textual context according to the predefined coding criteria. Where uncertainty remained, the annotators consulted the coding manual and reached a consensus through structured discussion.

Coding reliability was assessed using Cohen's Kappa coefficient (Cohen, 1960), with a target threshold of $\kappa \geq 0.80$ for substantial agreement. The initial independent coding achieved an inter-annotator agreement of $\kappa = 0.84$. Following discussion of all instances of disagreement and refinement of the coding manual, a second round of independent coding produced an improved agreement of $\kappa = 0.87$. Any remaining disagreements were resolved through consensus with reference to the predefined coding framework and, where relevant, the immediate textual context and established exegetical resources. The final consensus annotations were recorded in a structured annotation database and formed the basis for the subsequent qualitative analysis.

2.3.3. Stage Three: Implicature and Presupposition Analysis

In the third analytical stage, a focused qualitative analysis of conversational implicature and presupposition was conducted on a purposive sub-sample of 40 passages—10 from each sub-corpus—selected on the basis of their pragmatic complexity and their potential to encode meaning beyond their literal propositional content. The analysis drew on Grice's (1975) Cooperative Principle and its maxims of quantity, quality, relation, and manner to identify cases in which the formulation of legal definitions and religious rulings generated scalar implicatures, relevance implicatures, or pragmatic effects arising from apparent departures from cooperative norms. Presuppositions were identified using established pragmatic diagnostic tests, including negation, questioning, and substitution (Levinson, 1983).

To enhance the credibility and validity of this qualitative stage, the analysis was conducted using the same theoretically grounded analytical framework established in the preceding stages. The selected passages were independently examined by the two annotators, who compared alternative pragmatic interpretations against the immediate linguistic and textual context. Where interpretative differences arose, they were resolved through structured discussion and consensus with reference to the predefined coding framework and the underlying theoretical principles. This procedure ensured that the identification of implicatures and presuppositions remained theoretically consistent, contextually grounded, and methodologically comparable across the corpus.

2.4. Validity and Reliability

Several measures were adopted to ensure the validity and reliability of the analytical procedures. Corpus representativeness was assessed by computing the type-token ratio and hapax legomena rate for each sub-corpus to verify lexical diversity.

Content validity was established through methodological and theoretical triangulation. The coding framework was derived from well-established theoretical models, including Speech Act Theory, the Cooperative Principle, deontic modality analysis, and the classical *khavar–inshāʾ* distinction. During the calibration stage, the coding manual was iteratively refined to improve the consistency of category definitions and coding decisions before the final analytical dataset was established. Validity was further strengthened by integrating corpus-based quantitative analysis with qualitative pragmatic interpretation, allowing statistically identified patterns to be systematically examined within their linguistic and contextual environments.

Manual pragmatic coding was conducted independently by two annotators over two coding rounds. During the first round, all sampled passages were coded independently according to the predefined coding framework, yielding an initial inter-annotator agreement of Cohen's $\kappa = 0.84$. The annotators subsequently discussed all instances of disagreement, clarified the application of the coding criteria, and refined the coding manual where necessary. A second round of coding was then undertaken, resulting in an improved inter-annotator agreement of Cohen's $\kappa = 0.87$. Disagreements remaining after the second round were resolved through consensus with reference to the predefined coding manual and the underlying theoretical framework. The consensus coding established after the second round constituted the final dataset used for analysis.

The first annotator was the author, whose academic expertise is in Islamic legal theory, corpus-assisted discourse analysis, and Arabic legal pragmatics. The second annotator was an academic colleague with doctoral-level expertise in Islamic jurisprudence and law. Together, the annotators brought complementary expertise in Islamic legal theory, legal reasoning, and pragmatic analysis, thereby ensuring the consistent application of the coding framework and enhancing the credibility of the qualitative analysis.

Finally, the two-stage analytical design, in which corpus-based frequency analysis informed the selection of passages for qualitative pragmatic analysis, further strengthened the robustness of the findings by enabling statistically identified patterns to be systematically validated through contextual interpretation.

2.5. Ethical Considerations

This study is based exclusively on publicly available, officially adopted course materials published by recognised Saudi universities. It does not involve human participants, animal subjects, experimental interventions, or the collection of personal data. Accordingly, ethical review and approval were waived for this study. All source texts are cited in full in the References section, and the study complies with applicable copyright provisions governing the use of published materials for academic research purposes.

3. Results

3.1. Corpus Characteristics

The finalised corpus comprises four sub-corpora representing two generic traditions, classical Islamic jurisprudential texts and contemporary Saudi legal statutes, across two curricular domains. Table 1 presents the composition and size of each sub-corpus.

The jurisprudential sub-corpus substantially exceeds the legal sub-corpus in size, reflecting the encyclopaedic character of classical fiqh texts relative to modern statutory instruments. This size disparity is a structurally motivated feature of the corpus rather than a methodological limitation: classical Hanbali jurisprudential texts of the type examined here are inherently encyclopaedic in character, accumulating centuries of doctrinal elaboration, inter-school debate, and case-by-case qualification within a single work, whereas modern statutory instruments are deliberately concise by design, encoding maximum normative content within minimum textual space. The pragmatic implications of this contrast—greater definitional density and argumentative elaboration in the jurisprudential sub-corpus versus greater lexical economy and prescriptive directness in the statutory sub-corpus—are themselves a substantive finding of the study rather than an artefact of corpus composition. This asymmetry is itself analytically significant: it indicates that the normative content of the legal statutes is expressed with markedly greater economy and lexical density than that of the classical texts, a point that bears directly on the pragmatic findings reported below.

3.2. Distribution of Deontic Modality Markers

3.2.1. Overall Distribution Across the Jurisprudential Sub-Corpora

Table 2 presents the normalised frequencies (per 10,000 words) of the four principal deontic and definitional categories across the jurisprudential sub-corpora. The legal sub-corpora are analysed through targeted qualitative investigation given their statutory character and the methodological difference in corpus size.

Table 2. Normalised frequencies of deontic and definitional categories—jurisprudential sub-corpora (per 10,000 words).

Category	Rawḍat al-Nāẓir (n)	Per 10,000	Al-Rawḍ al-Murbi' (n)	Per 10,000	Ratio
Obligation	1241	47.2	432	26.4	×1.8
Permission	521	19.8	202	12.3	×1.6
Prohibition	473	18.0	252	15.4	×1.2
Definition	496	18.9	84	5.1	×3.7

The most striking finding is the ratio of $\times 3.7$ for definitional markers, confirming the fundamental generic distinction between the two classical texts. *Rawḍat al-Nāẓir*, as a work of legal theory (*uṣūl al-fiqh*), concentrates heavily on constructing normative categories and defining jurisprudential concepts. *Al-Rawḍ al-Murbiʿ*, as a text of applied jurisprudence, employs definitional language sparingly in favour of direct prescriptive rulings. The obligation category also diverges significantly ($\times 1.8$), while prohibition shows the smallest difference ($\times 1.2$), suggesting that the expression of normative restraint is more evenly distributed across both jurisprudential genres.

3.2.2. Individual Obligation Markers

Table 3 presents the individual markers within the obligation category, revealing a pattern of considerable pragmatic significance.

Table 3. Individual obligation marker frequencies—jurisprudential sub-corpora (per 10,000 words).

Marker	Gloss	Rawḍat al-Nāẓir (n)	Per 10,000	Al-Rawḍ al-Murbiʿ (n)	Per 10,000
واجب	obligation (noun)	320	12.2	32	2.0
وجب	became obligatory (verb)	275	10.5	100	6.1
يلزم	is required/entails	223	8.5	75	4.6
يجب	is obligatory (impf. verb)	207	7.9	122	7.4
فرض	prescribed (noun/verb)	154	5.9	90	5.5
ينبغي	ought to (soft modal)	49	1.9	8	0.5
يتعين	is required (formal)	13	0.5	5	0.3

The nominal form واجب is by far the dominant obligation marker in *Rawḍat al-Nāẓir*, appearing at a rate of 12.2 per 10,000 words—more than six times its rate in *Al-Rawḍ al-Murbiʿ* (2.0 per 10,000). This reflects its primary function in *Rawḍat al-Nāẓir* as a theoretical classificatory term: the text repeatedly defines, categorises, and distinguishes the concept of *wājib* from related normative categories (*mandūb*, *mubāḥ*, *makrūh*, *maḥzūr*), deploying واجب as the label for a category rather than as a directive act. Example (1) illustrates this assertive-definitional function:

- (1) الواجب ما يُذَمُّ شرعاً تاركه
 al-wājib *mā* *yudhammu* *sharʿan* *tārikuhu*
 The obligatory is that whose omission is legally blameworthy.

Example (1) is a paradigmatic assertive-declarative speech act (Searle, 1969): it does not command or prescribe; it defines a category by specifying its distinguishing condition. By contrast, the dominant obligation pattern in *Al-Rawḍ al-Murbiʿ* is the verbal construction يجب/وجب embedded in a direct prescriptive ruling, as in Example (2):

- (2) ويجبُ السيد على يؤدى أن كتابته وفى من إلى رُبْعها
 wa-yajibu *ʿalā al-sayyidi* *an yuʿaddiya* *ilā man waffā kitābatahu* *rubʿahā*
 It is obligatory upon the master to pay one quarter of the kitāba to one who fulfils it.

Example (2) is a paradigmatic directive speech act: it prescribes a specific action for a specific agent in a specific circumstance. The soft modal ينبغي (ought to) concentrates

almost exclusively in *Rawḍat al-Nāẓir* (49 occurrences, 1.9 per 10,000) versus *Al-Rawḍ al-Murbiʿ* (8 occurrences, 0.5 per 10,000), where it encodes indirect directive speech acts in methodological guidance, as in Example (3):

- (3) وينبغي أن يذكر القريب الجنس ليكون الماهية على أدل
wa-yanbaghī an yadhkura al-jins al-qarīb li-yakūna adalla ‘alā al-māhiyya
One ought to mention the proximate genus, as it is more indicative of the quiddity.

3.2.3. Permission and Prohibition Markers

Table 4 presents the individual markers for permission and prohibition, which reveal a further pattern of generic differentiation.

Table 4. Individual permission and prohibition marker frequencies—jurisprudential sub-corpora (per 10,000 words).

Marker	Gloss	Rawḍat al-Nāẓir (n)	Per 10,000	Al-Rawḍ al-Murbiʿ (n)	Per 10,000
يجوز	is permissible	375	14.3	78	4.8
مباح	permissible (adj.)	57	2.2	25	1.5
جائز	permissible (adj.)	54	2.1	19	1.2
يحل	is lawful	27	1.0	46	2.8
يباح	is permitted (passive)	2	0.1	24	1.5
يحرم	is prohibited	24	0.9	62	3.8
محرم	prohibited (adj.)	61	2.3	80	4.9
لا يجوز	is not permissible	168	6.4	28	1.7
حرام	forbidden	124	4.7	34	2.1
يمنع	is prevented	80	3.0	30	1.8
يحظر	is prohibited (formal)	2	0.1	0	0.0

Two findings are of particular analytical significance. First, the performative passive *يباح* (it is permitted) appears at a rate of 1.5 per 10,000 in *Al-Rawḍ al-Murbiʿ* versus 0.1 in *Rawḍat al-Nāẓir*—a ratio of $\times 15$. This construction functions in *Al-Rawḍ al-Murbiʿ* as a direct declarative speech act that formally grants permission for specific conduct, as in: *ويباح الانتفاع به في اليابسات* (it is permissible to make use of it in dry contexts). Its near-absence in *Rawḍat al-Nāẓir* reflects the theoretical orientation of that text, which discusses permissibility as a category rather than granting it.

Second, *لا يجوز* concentrates in *Rawḍat al-Nāẓir* (6.4 per 10,000), where it functions as a negative assertive expressing theoretical prohibition within argumentative discourse—in contrast to its lower frequency in *Al-Rawḍ al-Murbiʿ* (1.7 per 10,000), where prohibition is more typically expressed through the nominal *محرم* or the performative *يحرم*.

3.2.4. Deontic Markers in the Contemporary Legal Sub-Corpora

The contemporary legal sub-corpora exhibit a repertoire of deontic constructions that differs systematically from that observed in the classical jurisprudential texts. Rather than relying primarily on the lexical markers characteristic of classical *fiqh* and *uṣūl al-fiqh*, the two Saudi statutory texts employ highly standardised drafting conventions designed to

maximise precision, institutional authority, and procedural clarity. Table 5 summarises the principal deontic constructions identified in the two contemporary legal sub-corpora.

Table 5. Principal deontic constructions in the contemporary legal sub-corpora.

Construction	Civil Transactions Law	Law of Criminal Procedure	Pragmatic Function
إلا ... يجوز لا	✓	✓	Conditional prohibition with restricted permission
يحظر	Limited	Frequent	Formal administrative prohibition
يجب أن	✓	✓	Institutional obligation
أن + agent + على	✓	✓	Agent-specific obligation
Jurisprudential maxims (<i>qawā'id kulliyā</i>)	✓	–	Hybrid statutory–jurisprudential register

Note: ✓ indicates that the construction is present in the corresponding sub-corpus; '–' indicates that the construction is not attested.

Three constructions are of particular pragmatic significance. The first is the negative-exceptive construction *إلا ... يجوز لا* (*it is not permissible ... except*), which appears systematically throughout both statutes to delimit the scope of legally permitted conduct by specifying the conditions under which an otherwise prohibited action becomes authorised. This construction combines prohibition and conditional permission within a single syntactic unit, thereby achieving a level of normative precision that is largely absent from the classical texts, as illustrated in Example (4).

- (4) في الأحوال المنصوص عليها نظاماً إلا القبض على أي إنسان لا يجوز لا يجوز
fi al-aḥwāl al-manṣūṣ 'alayhā niẓāman illā al-qabḍ 'alā ayyi insān lā yajūzu lā yajūzu
It is not permissible to arrest any person except in the circumstances specified by law.

The second characteristic construction is the formal prohibition verb *يحظر* (*it is prohibited*), which represents a distinctly administrative-legal register. Unlike the classical jurisprudential texts, where this verb is either absent or occurs only marginally in non-technical contexts, it functions in the Law of Criminal Procedure as the principal marker of absolute institutional prohibition, particularly in provisions protecting procedural rights, for example: *يُحظر إيذاء المقبوض عليه جسدياً أو معنوياً* (*It is prohibited to harm a detainee physically or psychologically*).

The third characteristic construction is the impersonal obligation pattern *يجب أن* (*it is obligatory that*), together with the closely related agent-specific formulation *على + agent + أن*, both of which assign explicit procedural duties to identified institutional actors. For example, *يجب أن يعامل الموقوف بما يحفظ كرامته* (*The detainee must be treated in a manner that preserves his dignity*) imposes a legally enforceable institutional obligation rather than expressing a general normative principle. Although the expression *يجب أن* also appears in *Rawḍat al-Nāẓir*—primarily within methodological discussions concerning legal reasoning—its pragmatic function differs fundamentally from that observed in the statutory texts. In the classical theoretical context, it establishes epistemological or methodological norms, whereas in the contemporary legal register it performs a directly prescriptive function by regulating institutional conduct through legally binding procedural obligations.

3.3. The Qawā'id Kulliyā as a Hybrid Pragmatic Register

The Civil Transactions Law presents a finding of exceptional analytical significance: its final provisions (Articles 700–720) incorporate forty-one classical Islamic jurisprudential maxims (qawā'id kulliyā) within a modern statutory instrument. These maxims—including foundational principles such as al-umūr bi-maqāṣidihā (matters are judged by their purposes), al-darar yuzāl (harm must be removed), and mā lā yatimmu al-wājib illā bihi fa-huwa wājib (what is indispensable to the fulfilment of an obligation is itself obligatory)—are presented in the register of direct normative enactment, governed by the statutory framing of Article 700.

This incorporation creates within a single legislative text the intersection of two historically distinct deontic registers. Table 6 illustrates the pragmatic contrast between a classical formulation of a normative principle and its statutory recontextualisation.

Table 6. Pragmatic contrast between classical and statutory formulations of normative principles.

Source	Formulation	Speech Act Type	Deontic Register
Rawḍat al-Nāẓir	الواجب ما يُدْمُ شرعاً تاركه (The obligatory is that whose omission is blameworthy)	Assertive-declarative (definition)	Jurisprudential-theoretical
Civil Transactions Law, Art. 700 (Qā'ida 35)	ما لا يتم الواجب إلا به فهو واجب (What is indispensable to an obligation is itself obligatory)	Declarative-directive (maxim as rule)	Statutory-jurisprudential hybrid
Civil Transactions Law, Art. 161	يجب على المدين تنفيذ التزامه عند استحقاقه (The debtor must perform his obligation when it falls due)	Directive (prescription)	Statutory-procedural

The qawā'id kulliyā occupy an intermediate pragmatic position between the two registers: they retain the aphoristic brevity and theoretical abstraction of classical jurisprudential language while being embedded within a statutory instrument that grants them the force of enacted law. This dual character—simultaneously descriptive of a jurisprudential tradition and prescriptive as enacted legislation—constitutes a pragmatic category not found in any of the other three sub-corpora.

3.4. Speech Act Patterns—Manual Coding Results

Manual coding of the 200-passage stratified random sample (50 passages per sub-corpus) confirms and extends the distributional findings. Table 7 presents the distribution of dominant speech act types across the four sub-corpora.

Rawḍat al-Nāẓir is dominated by assertive speech acts (64% combined), reflecting its function as a text of theoretical construction. Al-Rawḍ al-Murbi' shifts decisively toward directive speech acts (58%), confirming its applied prescriptive character. Both contemporary legal statutes are heavily directive (52% and 64% respectively), with a higher proportion of declaratives than either classical text, reflecting the institutional performativity of statutory language in formally constituting legal rights and obligations. The Law of Criminal Procedure shows the highest directive concentration of all four sub-corpora, consistent with its function of prescribing procedural conduct for identified institutional agents.

Inter-annotator reliability, assessed using Cohen's Kappa coefficient (Cohen, 1960), yielded $\kappa = 0.84$ at the first coding checkpoint (after 50 passages) and $\kappa = 0.87$ upon comple-

tion of the full 200-passage sample, indicating substantial agreement and confirming the reliability of the coding scheme across all four sub-corpora.

Table 7. Distribution of dominant speech act types across sub-corpora ($n = 50$ passages per sub-corpus; percentages rounded to nearest 2%).

Speech Act Type	Rawḍat al-Nāẓir	Al-Rawḍ al-Murbi‘	Civil Transactions Law	Law of Criminal Procedure
Assertive-definitional	38%	12%	18%	8%
Assertive-argumentative	26%	8%	6%	4%
Directive (explicit)	18%	58%	52%	64%
Declarative	10%	16%	20%	20%
Commissive	8%	6%	4%	4%

3.5. Patterns of Conversational Implicature and Presupposition

Qualitative analysis of the purposive sub-sample of 40 passages identified systematic differences in the mechanisms through which pragmatic meaning extends beyond literal propositional content across the four sub-corpora.

In *Rawḍat al-Nāẓir*, implicature is characteristically generated through metalinguistic framing, as illustrated in Example (5).

- (5) الخلاف مبني على الاصطلاح، ولا مشاحة في الاصطلاح
al-khilāf mabnī ‘alā al-iṣṭilāḥ wa-huwa amr lā mushāḥata fīhi
The disagreement is terminological, and there is no contention in matters of terminology.

Rather than resolving a substantive legal disagreement, the statement scalar-implicates that the underlying normative judgment is shared and that the apparent disagreement concerns terminology alone. This pragmatic inference has important pedagogical implications because it highlights the distinction between conceptual variation and genuine juristic disagreement, a distinction that may warrant explicit instructional attention in Sharia and Law curricula. The passage also presupposes a readership already familiar with the specialised terminology of *uṣūl al-fiqh* and capable of activating its intertextual background without explicit explanation.

In *Al-Rawḍ al-Murbi‘*, implicature operates primarily through compressed conditional structures, as illustrated in Example (6).

- (6) ويحرم بدار حرب إلا لضرورة، فبياح لغير أسير
wa-yahṛumu bi-dār ḥarb illā li-ḍarūra fa-yubāḥu li-ghayr asīr
It is prohibited in enemy territory except out of necessity, whereupon it is permissible for one other than a prisoner.

The formulation encodes a four-stage deontic sequence comprising default prohibition, an excusing condition, restored permission, and personal restriction within a single syntactic unit. Much of the normative content is therefore pragmatically inferred rather than explicitly stated, requiring the student reader to reconstruct the underlying hierarchy of legal conditions from prior jurisprudential knowledge.

In the *Civil Transactions Law*, presupposition is generated through definitional anchoring, as illustrated in Example (7).

- (7) ويجب على المتعاقدين الوفاء بما أوجبه العقد عليهما.
wa-yajibu 'alā al-muta 'āqidayni al-wafā' u bimā awjabahu al-'aqdu 'alayhimā.
The contracting parties must fulfil the obligations imposed upon them by the contract.

The provision generates a layered presuppositional structure by treating several foundational legal concepts as shared institutional knowledge rather than explicitly defining them. It presupposes the existence of a valid contract, reciprocal contractual obligations, legally recognised contracting parties, and the binding force of contractual commitments. Rather than defining these concepts, the statutory text assumes that they are already understood by the reader and builds the legal obligation upon them. This illustrates how presupposition contributes to the precision, economy, and institutional authority of contemporary legislative drafting.

In the *Law of Criminal Procedure*, presupposition is generated most characteristically through institutional role-binding, as illustrated in Example (8).

- (8) يجب على رجل الضبط الجنائي في حال التلبس بالجريمة أن ينتقل فوراً إلى مكان وقوعها ويعاين آثارها المادية ويحافظ عليها.
yajibu 'alā rajul al-dabṭ al-janā'ī – fī hāl al-talabbus bi al-jarimah – an yantaqila faʿwan ilā makān wuqu' ihā wa-yu 'āyina āthārahā al-māddiyyah wa-yuhāfiẓa 'alayhā.
In cases of flagrante delicto, the criminal investigation officer must immediately proceed to the scene of the crime, examine its physical evidence, and preserve it.

The provision generates presupposition through institutional role-binding by treating the legal status, authority, and procedural responsibilities of the criminal investigation officer as established institutional knowledge rather than explicitly defining them. It further presupposes the existence of a legally recognised situation of *flagrante delicto*, a procedural framework governing criminal investigations, and institutional rules regulating the preservation of physical evidence. Consequently, interpretation depends upon the reader's prior understanding of the criminal justice system within which these procedural obligations operate. This mechanism differs fundamentally from that observed in the classical jurisprudential texts, where normative statements are generally addressed to the generic legal subject (*al-mukallaf*) rather than to specifically designated institutional actors.

4. Discussion

4.1. The Genre Divide Between Legal Theory and Applied Jurisprudence

The quantitative differences observed between *Rawḍat al-Nāẓir* and *Al-Rawḍ al-Murbi'* are broadly consistent with their distinct disciplinary functions within the classical Islamic jurisprudential curriculum. As a work of *uṣūl al-fiqh*, *Rawḍat al-Nāẓir* is primarily concerned with defining legal concepts, establishing methodological principles, and explaining the foundations of legal reasoning. By contrast, *Al-Rawḍ al-Murbi'*, as a work of applied *fiqh*, is principally concerned with prescribing legal rulings governing concrete acts and situations. The predominance of definitional markers in the former and directive speech acts in the latter is therefore an expected consequence of their different communicative purposes rather than an unexpected linguistic phenomenon.

The contribution of the present study lies not in identifying the existence of this genre distinction itself but in providing what is, based on the systematic literature review undertaken for this study, the first corpus-based pragmatic quantification of how these functional differences are linguistically realised within officially prescribed Saudi Sharia curricula. The ratio of 3.7:1 for definitional markers between *Rawḍat al-Nāẓir* and *Al-Rawḍ al-Murbi'*, together with the contrasting distributions of assertive-definitional speech acts (38% versus 18%) and directive speech acts (24% versus 58%), demonstrates that the classical *khābar-inshā'* distinction is reflected not only in legal theory but also in measurable

patterns of linguistic usage. These findings are consistent with Gharaybeh's (2024) interpretation of classical Islamic legal reasoning as an indigenous pragmatic framework and extend it by providing corpus-based quantitative evidence of how this distinction is linguistically realised across different jurisprudential genres.

These findings also engage directly with the broader literature on speech-act distribution in Arabic religious discourse. The predominance of directive speech acts in *Al-Rawḍ al-Murbi* (58%) closely parallels the distributions reported by Maesaroh et al. (2026) in Qur'anic educational discourse and by Zurriyati et al. (2023) in al-Ghazālī's educational writings. The present study extends this line of research by demonstrating that substantial pragmatic variation exists not only between different traditions but also within the classical Islamic jurisprudential tradition itself. More specifically, it shows that shifts in disciplinary function—from legal theory to applied jurisprudence—are systematically reflected in corresponding shifts in speech-act distribution and deontic expression. Based on the systematic literature review undertaken for this study, no previous corpus-based investigation was identified that documents this form of intra-traditional genre variation within the linguistic analysis of officially prescribed classical Islamic legal texts.

The distribution of the soft deontic marker *yanbaghī* further illustrates this functional differentiation. Its substantially higher frequency in *Rawḍat al-Nāẓir* (1.9 versus 0.5 occurrences per 10,000 words) reflects the metalinguistic and methodological orientation of *uṣūl al-fiqh*, where indirect directive strategies are employed to guide legal reasoning rather than to prescribe concrete legal obligations. As demonstrated in Example (3), this construction typically performs an indirect directive function while maintaining an explanatory or epistemological orientation. This observation is consistent with Al-Mekhlafy's (2025) analysis of indirect illocutionary acts in Arabic jurisprudential discourse and further supports the conclusion that pragmatic indirectness varies systematically according to disciplinary function within the classical legal tradition.

4.2. The Distinctive Deontic Register of Contemporary Saudi Statutory Language

The three signature constructions identified in the contemporary legal sub-corpora—the negative-exceptional *لا يجوز ... إلا*, the formal prohibition verb *يحظر*, and the institutional obligation construction *أن + agent + على*—represent a deontic repertoire that is not merely different from the classical texts in frequency but different in kind. These constructions encode a fundamentally different normative logic: whereas the classical texts ground obligation and prohibition in divine authority mediated through jurisprudential reasoning, the statutory texts ground them in state authority mediated through institutional role assignment.

This finding confirms and extends El-Farahaty and Elewa's (2020) seminal observation that Arabic lacks standardised deontic drafting conventions, revealing that the variation is not only cross-linguistic (Arabic versus English) but intra-linguistic and genre-specific: classical Hanbali fiqh texts, *uṣūl al-fiqh* texts, and modern Saudi statutes each deploy distinct deontic repertoires that cannot be reduced to a single Arabic normative register. The near-absence of *يحظر* in both classical texts (0 occurrences in *Al-Rawḍ al-Murbi*; 2 non-technical occurrences in *Rawḍat al-Nāẓir*) against its systematic use in the Law of Criminal Procedure confirms that this marker belongs exclusively to the administrative-legal register of modern statutory Arabic—a finding with direct implications for the translation studies literature, where *يحظر* has occasionally been treated as a functional equivalent of classical prohibition markers (Khalaf et al., 2023).

The negative-exceptional construction *لا يجوز ... إلا* merits particular attention. This construction, which appears systematically in both contemporary statutes but minimally in the classical texts, encodes a normative architecture of prohibition-with-exception that is

structurally unavailable in the classical fiqh genre, where conditional permissions are typically expressed through separate prescriptive statements. The pragmatic implication for student readers is significant: the same surface marker (لا يجوز) that functions as a negative assertive in *Rawḍat al-Nāzir*—expressing theoretical impossibility within jurisprudential argumentation—functions as a directive prohibition in the Law of Criminal Procedure. This cross-generic pragmatic ambiguity, which the student reader must navigate simultaneously within the same curriculum, represents a concrete pedagogical challenge that the present study is, to the author’s knowledge, the first to document empirically.

4.3. *The Qawāʿid Kullīyya as Evidence of Deliberate Register Hybridisation*

The incorporation of forty-one classical jurisprudential maxims within the Civil Transactions Law represents the most theoretically significant finding of this study. This finding goes beyond documenting a pragmatic tension between two co-existing registers; it demonstrates that the Saudi legislative framework has made a deliberate institutional choice to embed classical jurisprudential language within a statutory instrument, creating a hybrid pragmatic register that is without parallel in the existing literature on Arabic legal discourse.

This finding resonates with, but substantially extends, the work of [Elzeiny et al. \(2025\)](#), who proposed an ontological framework for AI-based understanding of Islamic legal texts by formalising seven cognitive operations including exact denotation and implicature by inclusion. The qawāʿid kullīyya in the Civil Transactions Law represent precisely such operations in legislative practice: they function simultaneously as enacted statutory rules—deriving their normative force from the maqām (institutional authority) of the Royal Decree that promulgates them—and as citations of an established jurisprudential tradition, deriving their semantic content from centuries of fiqh commentary. The pragmatic theory of speech acts provides a productive framework for understanding this duality: the qawāʿid are declarative speech acts ([Austin, 1962](#)) in the sense that their utterance by the legislative authority constitutes them as positive law, while their content remains assertive in the sense of [Searle \(1969\)](#), describing a normative reality that pre-exists the legislation.

The pedagogical implications are significant. A student encountering the maxim mā lā yatimmu al-wājib illā bihi fa-huwa wājib within the Civil Transactions Law must simultaneously activate two interpretive frames: the jurisprudential frame, in which the maxim is a distillation of centuries of uṣūl al-fiqh reasoning about obligation and its conditions, and the statutory frame, in which it is an enacted rule governing civil transactions. This dual activation requirement has no parallel in either purely classical or purely statutory legal education, and represents a distinctive cognitive and pragmatic demand that is specific to the Saudi Sharia and Law college context.

4.4. *Implications for the Pedagogy of Sharia and Law Education*

The findings of this study have several concrete implications for curriculum design and pedagogical practice in Saudi Sharia and Law colleges. First, the sharp divergence in speech act profiles between the classical and contemporary sub-corpora suggests that students are required to navigate not merely a vocabulary shift but a fundamental shift in the logic of normative communication. The classical texts construct normative meaning through definitional elaboration and theoretical categorisation; the statutory texts construct it through direct institutional prescription. Preparing students to recognise and interpret this shift—and to avoid the pragmatic misreadings that can result from applying one register’s interpretive conventions to the other—is a pedagogical task that is not currently addressed in any of the examined curricula.

Second, the cross-generic ambiguity of key deontic markers—particularly لا يجوز, which functions as a negative assertive in classical texts and as a directive prohibition in statutory texts—suggests a need for explicit instruction in the register-specific pragmatic functions of Arabic deontic vocabulary. This recommendation aligns with Al-Dosari's (2025) finding that interpretive ambiguity in Saudi legal drafting creates professional challenges, and extends it to the educational context: if trained legal professionals are confused by inconsistent deontic expression, student readers encountering multiple registers simultaneously face a proportionally greater challenge.

Third, the discovery of the qawā'id kulliyya as a hybrid pragmatic register within the Civil Transactions Law opens a pedagogical opportunity that the present study suggests is currently underdeveloped. These maxims provide a natural bridge between the jurisprudential and statutory components of the curriculum, and their systematic pragmatic analysis—exploring how their illocutionary force changes when they are recontextualised from classical fiqh commentary into statutory enactment—could constitute a productive pedagogical exercise that develops students' pragmatic metalinguistic awareness across both registers simultaneously.

4.5. Theoretical Contributions and Limitations

This study makes three theoretical contributions to the corpus pragmatics literature. First, it demonstrates that within a single classical Arabic tradition, different text types—theoretical and applied—produce systematically different speech act profiles, a finding that challenges the common assumption that Arabic religious and jurisprudential discourse constitutes a pragmatically uniform register. Second, it identifies a category of hybrid pragmatic register—exemplified by the qawā'id kulliyya in contemporary Saudi legislation—that has not previously been described in either the corpus pragmatics or the Arabic legal linguistics literature. Third, it provides the first empirical corpus-based documentation of the pragmatic demands placed on students in Saudi Sharia and Law colleges by the simultaneous co-presence of classical jurisprudential and contemporary statutory language within the same curriculum.

Several limitations of the study warrant acknowledgement. The corpus, while substantial at approximately 480,000 words, is restricted to four texts at two institutions; the extent to which the findings generalise to other Saudi universities, other jurisprudential schools, or other legal traditions remains to be established. The manual coding of speech act types, although achieving substantial inter-annotator reliability ($\kappa = 0.87$), necessarily involves interpretive judgments that are not fully replicable, particularly for the passages that encode indirect speech acts requiring exegetical contextualisation. Finally, the study does not address the reception dimension: how student readers actually process and interpret the pragmatic demands documented here remains an open empirical question that future research, combining corpus analysis with reader response data, could productively investigate.

4.6. Directions for Future Research

The findings of this study suggest several productive directions for future inquiry. The pragmatic hybridisation documented in the Civil Transactions Law invites historical investigation: systematic analysis of how the qawā'id kulliyya have been incorporated across successive iterations of Saudi civil legislation could illuminate the diachronic pragmatics of Saudi legal language in a way that would complement the synchronic findings of the present study. Additionally, comparative studies extending the present framework to other Gulf or Arab states that have similarly codified classical jurisprudential principles within modern statutory instruments—including the UAE and Kuwait—would help estab-

lish whether the register hybridisation documented here is specific to the Saudi context or a broader feature of contemporary Islamic legal modernisation. Finally, the pedagogical implications identified in Section 4.4 call for empirical investigation through classroom-based research examining whether explicit instruction in cross-register deontic pragmatics produces measurable improvements in students' legal reading and writing competence.

The findings also have practical implications for curriculum design in Sharia and Law programmes. Rather than treating classical jurisprudential texts and contemporary statutory legislation as independent curricular components, instructional design may benefit from explicitly addressing the pragmatic differences between these complementary normative genres. Comparative classroom activities focusing on deontic markers, speech-act patterns, and definitional strategies could help illustrate how similar legal concepts are formulated differently in jurisprudential and statutory discourse. Likewise, structured analysis of the *qawā'id kullīyya* incorporated into the Civil Transactions Law may provide a valuable bridge between classical legal theory and contemporary legislative drafting, highlighting the continuity and transformation of normative language across legal traditions. These suggestions are offered as text-based pedagogical implications derived from the present corpus analysis and warrant future evaluation through classroom-based research.

5. Conclusions

This study investigated how genre differences influence the linguistic and pragmatic formulation of legal definitions and religious rulings in the officially prescribed course materials of Sharia and Law colleges at two Saudi universities through a corpus-assisted pragmatic framework integrating quantitative corpus analysis with qualitative pragmatic interpretation. By combining Speech Act Theory, the Cooperative Principle, deontic modality analysis, and the classical *khavar–inshā'* distinction within a methodologically and theoretically triangulated research design, the study examined how the distinct communicative functions of coexisting classical jurisprudential and contemporary statutory genres are reflected in patterns of deontic modality, speech acts, implicature, and presupposition across the Saudi Sharia and Law curriculum.

At the empirical level, the findings demonstrate that the four sub-corpora represent four pragmatically distinct normative genres that perform complementary curricular functions within the same educational programme. *Rawḍat al-Nāẓir* is characterised by assertive-definitional discourse and methodological deontic expressions reflecting its function as a work of *uṣūl al-fiqh*. By contrast, *Al-Rawḍ al-Murbi'* is dominated by directive speech acts and prescriptive formulations associated with the practical application of legal rulings. The contemporary statutory texts exhibit a different pragmatic repertoire characterised by standardised legislative drafting conventions, including negative-exceptive constructions, formal prohibition markers, institution-specific obligation structures, and procedural role-binding. Together, these findings provide what is, to the best of the authors' knowledge and based on the systematic literature review undertaken for this study, the first corpus-based pragmatic description of the principal normative genres represented within Saudi Sharia and Law curricula.

At the theoretical level, the study contributes to corpus pragmatics, Arabic legal linguistics, and the pragmatics of Islamic legal discourse in three respects. First, it provides quantitative evidence that the classical *khavar–inshā'* distinction is reflected in measurable patterns of speech acts and deontic expression, thereby extending previous theoretical discussions through corpus-based empirical analysis. Second, it offers the first corpus-assisted documentation of how functional differences between theoretical and applied jurisprudential genres are linguistically realised within the classical Islamic legal tradition, demonstrating that disciplinary function is systematically associated with distinct prag-

matic profiles. Third, it identifies a hybrid pragmatic register in the Saudi Civil Transactions Law, where classical jurisprudential principles are incorporated into enacted statutory provisions, illustrating a distinctive interaction between classical legal heritage and contemporary legislative drafting.

At the applied level, the findings demonstrate that students in Saudi Sharia and Law colleges are required to interpret multiple normative genres employing different pragmatic conventions despite studying them within a single curricular framework. The co-existence of theoretical jurisprudence, applied jurisprudence, and contemporary statutory discourse requires students to navigate shifts in speech-act realisation, deontic expression, presupposition, institutional authority, and interpretive expectations. These findings provide an empirical basis for strengthening pragmatic awareness within legal education and for developing pedagogical approaches that explicitly address the linguistic characteristics of the different normative genres represented in the curriculum.

The pedagogical implications discussed in this study should be understood as text-based inferences derived from the pragmatic characteristics of the analysed curricular materials rather than as empirically demonstrated effects on student learning or interpretation. Since the study did not include student participants, classroom observation, or reader-response data, future research should examine how learners actually interpret and process the pragmatic features identified in the present analysis.

Taken together, the findings indicate that the linguistic landscape of Saudi Sharia and Law education is best understood not as a simple opposition between classical and contemporary legal discourse, but as a structured interaction among complementary normative genres performing different educational and communicative functions. Rather than eliminating the distinctions between classical jurisprudence and contemporary legislation, the Saudi Civil Transactions Law illustrates one mechanism through which elements of the classical legal tradition are pragmatically integrated into modern statutory discourse. By documenting these relationships through corpus-based pragmatic analysis, the present study contributes to a more comprehensive understanding of Arabic normative discourse and provides a foundation for future research on legal language, curriculum design, and corpus pragmatics in Arabic legal and educational contexts.

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Abbreviations

The following abbreviations are used in this manuscript:

AH	Anno Hegirae (Islamic calendar year)
CE	Common Era
IUM	Islamic University of Madinah
JU	Jouf University

κ Cohen's Kappa coefficient
MI Mutual Information

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