



JUDICIAL PERFORMATIVES IN SUPREME COURT JUDGEMENTS: A CORPUS-BASED ANALYSIS OF DECLARATIVE AND DIRECTIVE SPEECH ACTS

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Abstract

This corpus-based study aims to identify and analyze the linguistic cues of authority of the Supreme Court of Pakistan, by examining two related forms of performative speech acts, declaratives and directives, drawing on the text of judicial judgments as corpus data. The study utilizes a significant amount of text for this analysis, as the corpus of judgments comprises a token size of 0.24 million, based on the text of 80 decisions from the year 2025. The study used a rule-based computational approach in Python with spaCy, applying regular expressions to systematically extract declarative and directive performative expressions. The findings showed a significantly higher number of directive speech acts, such as judicial orders and directions, than declarative expressions, which were commonly used for pronouncements conferring legal status or outcomes in the corpus under analysis. Specifically, the study identified roughly 757 directive instances, compared to 450 declarations across the corpus. This asymmetrical division indicates that directives are more widely used in decisions directing the relevant agencies to implement justice. Nevertheless, both categories serve crucial judicial functions: embedding linguistic cues of authority in the Supreme Court's text as directive functions that impose obligations and compel action, while declarative acts formally determine status as legal outcomes. There are some limitations to the study, as it focuses on only two performative types relevant to orders and uses a machine-based approach with regular expressions to extract expressions of both performatives. The study highlights the importance of performative utterances in judgments, particularly related to orders that advanced the reader's understanding of how judicial discourse operationalized legal decisions.

Keywords: Judicial discourse, Supreme Court judgments: Corpus analysis, Performative Speech acts

Introduction: The idea of speech acts is a seminal concept in twentieth-century linguistics that is crucial for understanding how language performs actions rather than merely describing events. Austin's (1962) work provides a distinction among locutionary, illocutionary, and perlocutionary acts that is foundational to subsequent work in pragmatics. Searle (1969) updated the taxonomy of illocutionary acts to include assertive, directive, commissive, expressive, and declarative acts. These revised comprehensive classifications help linguists identify speech acts rigorously and distinguish those that minimize prior overlap in Austin's (1962) classification.

In the judicial context, where everything works through discourse, language functions in action as a performative. The courts do not merely report events or offer general comments; they enact legal reality through their pronouncements. As demonstrated in Kurzon (1986), legal judgments contain expressions like "hereby" and other formulaic expressions to constitute binding acts. Other legal studies with a lens of pragmatics (Wagner et.al., 2007; Gozdz-Roszkowski, 2011) have highlighted that judicial discourse is the type of discursive variety that pragmatically involves orders, rulings, and declarations that affect social realities.



Moreover, corpus linguistics is a modern approach to linguistic research, including legal discourse, that enables researchers to extract systematic, objective, and data-driven analyses of discourse from large bodies of text. (Baker, 2006; McEnery & Hardie, 2012). The various studies on legal corpora help readers explore lexical patterns, formulaicity, and pragmatic force. (Cotterill, 2003; Goźdz-Roszkowski, 2011) Similarly, computational methods such as data extraction using regular expressions and natural language processing offer linguistic tools for processing at massive scale for any expression (Cotterill, 2003; Goźdz-Roszkowski, 2011). These advanced tools enable scholars to move beyond anecdotal examples and rely on replicable, large-scale examination of legal discourse to present a more authentic and complete picture of legal language.

Despite these advancements in linguistics in this particular field, the researcher needs an empirical, corpus-based analysis of Pakistani supreme court decisions with a perspective of a couple of performatives related to order, rulings, and declarations, the declarative and directive performative speech acts.

Research Questions:

To address the research problem outlined above and outline the objectives, the study poses the following questions.

1. What are the frequency and distribution patterns of directive and declarative performative speech acts in the judgments of the Supreme Court of Pakistan?
2. How do directive and declarative performatives function pragmatically in judicial discourse to enact authority and legal outcomes within Supreme Court judgments?

Literature Review:

The concept of speech acts was associated with British philosopher and linguist John Longshaw Austin, with his seminal work “How To Do Things With Words (1962) on philosophy of language, which presented the seminal claim that language does not merely describe the realities of the world, but it constructs them. He not only provides the concept of action by speech but also classifies them. Subsequently, Searle (1969) further developed the classification into a more rigorous and balanced framework of five core categories: assertives, directives, commissives, expressives, and declaratives, which have served as a basis for performative analysis for the past half-century. This study selects directives and declaratives as the most significant for the role of judicial language, in which courts resolve cases through declarations and enact laws based on directions.

Directive in legal discourse:

The directives are a type of performative that impose obligations and direct concerns. To Kurzon (1986), the judicial directive that serves as a significant course of judgments, even with formulaic phrases like “It is hereby directed,” encodes the authority of the court to direct the relevant parties in practicing the rule of law. Moessner (2010) explained that directives in professional genres span imperatives, obligation statements, and explicit performatives. In legal discourse, the explicit performatives include phrases such as “It is ordered.” Recent corpus-based work, such as Pujiyaniet et al. (2024), investigated the argument structure of ‘order’ as a verb and analyzed its agentive role, as expected in judicial discourse, which is the target of this study.

Declarative In legal discourse

This performative enacts a different kind of role through the language. Though this type of expression shows the same level of authority, it is not used to direct someone. Typical judicial expressions are “the appeal is dismissed,” “the order is set aside,” or “section 9 is declared unconstitutional”. Searle (1969) describes this act as a declaration of reality, in which the



speaker evaluates the validity or status of a reality. Wagner et al. (2007) highlighted the constitutive function of declarative speech acts in judicial discourse. They further argue that the court not only records the facts in the judgment but also creates them.

The emergence of corpus linguistics enables researchers to dive deep into large corpora within manageable timeframes and with limited resources. In this way, Baker (2006) and McEnery and Hardie (2012) provide a significant practical and theoretical discussion that not only sufficiently demonstrates the proper methods for various linguistic patterns but also encourages the researcher as an investigator to choose the size of text priority, which is not feasible for this type of analysis, such as performative analysis. Cotterill (2003) described trial discourse in relation to power and language. With the rise of computational linguistics with natural language processing NLP techniques (Ashley, 2017; Casillas, 2021), legal language adopts this advanced way to describe legal language.

The performative of “offer” has also been examined in Nigerian English, with particular attention to variation across social classes and institutional settings. Gut et al. (2022) found that the realization of directional acts in Nigerian English is conditioned by sociocultural norms and institutional context. Their findings highlight that although the illocutionary force of directives is universal, their linguistic realization varies across English varieties. Similarly, comparative work in other non-Western contexts has helped identify ways in which performatives adapt to local linguistic traditions while maintaining their institutional authority (Trosborg, 1995; Al-Afnan, 2015).

These comparative studies are particularly relevant to placing the Pakistani Supreme Court judgments at issue in this study. Just like in Gut et al. (2022), the decisions in Pakistan may be informed by local realization of different variants of directives (“let notice be issued”, “the respondents are hereby directed”) and declarations (“the appeal is dismissed”), an aspect of hybrid inheritance of British colonial legal English and local judicial practice.

Despite these advances, South Asian judicial discourse remains underexplored from a corpus-based perspective of performativity. While Western courts and Nigerian English institutional settings have been examined, the Pakistani Supreme Court has rarely been studied empirically for its use of directives and declarations. Previous work on Pakistan (Khan, 2019) has focused on constitutional reasoning rather than performativity. This study, therefore, addresses a critical gap by applying a corpus-based NLP methodology to systematically identify and analyze directives and declarations in Supreme Court judgments, situating its findings within both classical speech act theory and international studies of performatives in Englishes worldwide.

Methodology:

This study employed a corpus-based, top-down research design to systematically measure the use of “performative” in Pakistani Supreme Court decisions. This approach is used in corpus studies to apply a preexisting theory, such as performative speech acts, to authentic data, as seen in this study. (McEnery & Hardie, 2012).

The corpus comprises approximately 0.24 million (240 thousand) tokens from 80 Supreme Court decisions from the year 2025. There is no special significance to these asymmetrical numbers shown in Table 1. At the time of data collection in August 2025, all available decisions of sitting judges in English were downloaded and used as the corpus text. These judgments were sourced from the publicly open website of the Supreme Court of Pakistan <https://www.supremecourt.gov.pk/latest-judgments/>.

Item	Value
Judgements	80
Token	2,44,237

Table 1: Corpus Size

The source files were in Portable Document Format (PDF), which is not directly compatible with corpus analysis tools. Consequently, the files were converted to raw text files (.txt) using “AntFileConverter 2.1.0,” a freeware tool that converts various file formats into plain text for use in corpus tools such as AntConc, ensuring no data loss in the process. Only the body text was retained; other content such as headers, footers, case metadata, and hyperlinks was removed during data cleaning. The study then used MS Excel 365 to consolidate all files into a single CSV file.

```
Chunked streaming loop

# Chunked streaming loop (safe for large CSVs)
import csv, pandas as pd

IN = "normalized.csv"
OUT = "results_stream.csv"
SUM = "summary_stream.csv"

with open(OUT, "w", encoding="utf-8", newline="") as f:
    csv.DictWriter(f, fieldnames=["file_id", "label", "sentence"]).writeheader()

from collections import defaultdict
counts = defaultdict(lambda: {"Directives":0, "Declarations":0, "Total":0})

for chunk in pd.read_csv(IN, chunksize=100):
    id_col = "a" if "a" in chunk.columns else chunk.columns[0]
    text_col = "b" if "b" in chunk.columns else chunk.columns[-1]
    rows = []
    for _, r in chunk.iterrows():
        fid = str(r[id_col]); txt = str(r[text_col])
        for s in quick_sents(txt[-20000:]): # last ~20k chars
            lbl = classify_sentence(s)
            if lbl:
                rows.append({"file_id":fid, "label":lbl, "sentence":s.strip()})
                counts[fid][lbl+"s"] += 1; counts[fid]["Total"] += 1
    if rows:
        with open(OUT, "a", encoding="utf-8", newline="") as f:
            w = csv.DictWriter(f, fieldnames=["file_id", "label", "sentence"])
            w.writerows(rows)

# write summary at end...
```

Figure 1: NLP Pipeline for Automated Extraction of Performative Speech Acts

As per the design of the study, all analysis was carried out by a Python-based NLP pipeline that assures the replicability of the results (see Figure 1). The study integrated Pandas for the structuring of the data, regular expressions for the recognition of linguistic patterns, and Matplotlib for data visualization. These integrated systems compile an automated pipeline that eliminates any subjectivity associated with human manual coding.

The computational pipeline applied a well-structured logical sequence to ensure accuracy and interpretability of results. In the first step, the text was processed for boundary detection through normalization and tokenization. A set of regular expressions was then designed to extract the maximum number of directive and declarative performative expressions, which were automatically tagged and categorized (see Figures 2 and 3). The frequency and distribution of each category were subsequently compared, and the system generated visualizations to illustrate the results.

Declaration regex patterns (Python)

```
# Declaration regex patterns (Python)
import re
DEC_PATS = [

re.compile(r"\b(?:appeal|petition|writ|application|suit|revision)\s+(?:is|stands)\s+(?:hereby\s+)?(dismissed|a
re.I),

re.compile(r"\b(?:impugned\s+)?(order|judgment|decision|notification|rule|section|act)\b.*\b(is|stands)\s+(?:h
re.I),

re.compile(r"\b(rule|section|provision|act|ordinance|notification)\b.*\b(is|are)\s+(?:hereby\s+)?(unconstituti
re.I),
re.compile(r"\b(is|are)\s+(?:hereby\s+)?declared\b", re.I),
re.compile(r"\bstands\s+(?:restored|merged|disposed\s+of)\b", re.I),

]
```

Directive regex patterns (Python)

```
# Directive regex patterns (Python)
import re
DIR_PATS = [
re.compile(r"\b(we|this court|the court|the bench|supreme
court)\s+(?:do\s+)?(?:hereby\s+)?(order|direct|require|mandate|command|enjoin|restrain|compel|instruct)\b",
re.I),

re.compile(r"\b(?:it\s+is|be)\s+(?:hereby\s+)?(ordered|directed|required|mandated|enjoined|restrained|commande
re.I),
re.compile(r"\b([A-Z][A-Za-z\.\s/&-]{2,60})\s+(?:is|are)\s+(?:hereby\s+)?directed\s+to\b", re.I),

re.compile(r"\b(Registrar|Respondent|Appellant|Police|Inspector\s*General|IG\s*Police|NAB|FIA|Secretary|Minist
re.I),
re.compile(r"\b(?:is|are)\s+(?:hereby\s+)?(?:restrained|prohibited|barred)\b", re.I),

re.compile(r"\b[LL]et\s+(?:notice|notices|record|copy|copies|warrant|FIR|report|matter|case|appeal|paper|file)
]
```

Figure 2: Python Regex Code for Extraction of Declarative Performatives

Figure 3: Python Regex Code for Extraction of Directive Performatives

All data of the corpus were collected from the publicly available website of the Supreme Court of Pakistan. The study has not reproduced an identifiable item in the results; instead, the study removed all sensitive information regarding the privacy/identity of judges or parties. The automated and replicable nature of the pipeline enhances methodological transparency and reliability. Moreover, this is an experimental phase; the method will be elevated and grow more rigorous in upcoming studies. Comparative research can be conducted to confirm the accuracy and consistency of machine coding and human coding.

Data Analysis and Discussion

In this categorization of judicial rulings, the study found 1207 speech acts in total, including 757 directives and 450 declarations (see Table 2). It means that utterances based on directive speech acts, which aim to make a person take a certain action, are somewhat more frequent than utterances based on declarative speech acts that formally state a legal state of affairs in the sampled court judgments. All the documents in the dataset contained one or more of these speech acts, and most included a combination of both. The impact of such acts is not miraculous, given the authority of court decisions: judges constantly issue orders and pronouncements as components of the decision.

Speech Act Type	Frequency	Percentage (%)
Directives	757	62.7
Declarations	450	37.3
Total	1,207	100

Table 2: Frequency and Distribution of Performative Speech Acts

It is important to note that the frequency of directives and declarative per case was widely distributed. The tone of some of the judgments was very directive, giving many orders, whereas others were more oriented to pronouncements. The fact is, in one constitutional petition verdict, there were 15 directives and zero declarations, all of which were orders to different authorities. On the contrary, the other appeal case decision had nine statements and two orders, in which the court mainly stated its findings with very minimal direct instructions. These differences indicate that the use of speech acts varies depending on the type of case and the court's goals in the ruling. The study found that constitutional and suo motu cases were more likely to include directives (commonly providing the government or officials with instructions on what to do), whereas appeals and routine petitions were usually based on outcomes, such as whether a case was allowed or dismissed.

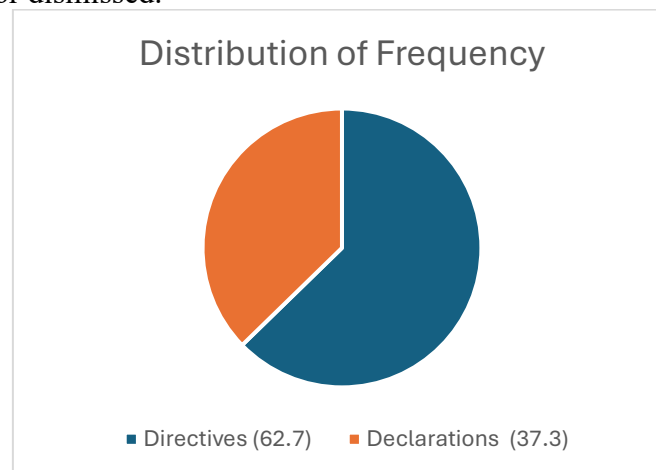


Figure 4: Distribution of Directive and Declarative Speech Acts in the Corpus

For illustration, Figure 4 and Table 2 present a summary of the total number of each type of speech act in the corpus. In general, the statistics indicate that, out of the speech acts, the directives comprise about 62.7 percent and the declarations constitute about 37.3 percent. We consider each category separately in the following sections, with examples provided in the judgments and comparison with patterns observed in earlier research.

Directive Speech Acts

Directive speech acts refer to the commands, orders, or instructions that are meant to control the actions of other persons. Legal decisions usually guide litigants, junior courts, the government, or court officials to do certain things. According to these results, the corpus of judgments strongly reflects the presence of directives, which highlights the importance of the judicial system in further action. The language of these Instructions is usually described as the deontic modal verbs (particularly, shall and must) or even explicit performative verbs such as order and direct.

A clear example of an order of the directive that is part of our data is an order to arrest some persons:



“They are directed to be forthwith arrested.” (SCP 2025)

In this order, the court makes it clear that the individuals in question should be arrested by law enforcement immediately. The construction in the passive voice, i.e., "is directed to be arrested," represents a high level of legal language, but it is a binding order. This kind of authoritative language is typical of a judgment, according to Jasim (2023) authorities employ such language through directives, declaratives, and other acts, but unauthoritative parties (e.g., witnesses or defendants) use assertives the most. That is to say, as judges hold a position of authority, they often use directives in courtroom discourse to assert authority and dictate action. The data has directives with different purposes. Most of them are remedial or injunctive orders intended to enforce the court's ruling. For example, courts can frequently instruct government officials to perform tasks within a specified period. In a recent case involving elections, the court ruled that the Federal Government shall, within fifteen days, take a given action. This kind of order establishes a strict deadline and a binding requirement, which compels the executive arm of the government to adhere to the court's decision in good time. The other trend was the orders to junior courts or court offices to follow procedures. It is common to come across sentences such as the Office is directed to send a copy of this judgment to the person in the conclusion of the judgment, or the trial Court is directed to proceed with the matter. These instructions deal with administrative proceedings such as the transfer of orders, the arrangement of subsequent actions, or the execution of the judgment, thus closing the gap between the decision and its execution in the court. Such phrases are often used (e.g., "Office is directed to..."), underscoring the role of judgments not only in solving problems but also in coordinating the subsequent actions required in the justice system.

Linguistically, it is remarkable that the modal verb shall predominates in these instructions. The use of shall to express commands or obligations in formal legal texts has long been found in the common law tradition. We verify that shall is the horse of the law, which serves in orders as simple as the Commission shall not allot the symbol and in others as the government shall enforce, and so on. This is consistent with Trosborg's (1995) remarks that the language of the law is usually patterned to use regulative speech acts other than those used in everyday language. In daily speech, direct instructions are frequently softened (e.g., by politely asking or making an indirect suggestion), whereas in judicial rulings, directives are given in a straightforward manner. According to Trosborg, the socio-pragmatic explanation lies in the fact that legal discourse is governed by institutional power and does not assume the type of face-saving politeness that everyday conversation does. Actually, the imperative tone or even the strong modals that are used in the instructions issued by the judiciary are anticipated and tolerated since it is indicative of the authority and ultimate nature of the decision made by the courts.

The straightforwardness of the legal instructions can be compared to the typical requests in general pragmatics. For example, Blum-Kulka et al. (1989) demonstrated that in normal conversation, when people issue information directives, they tend to do so in a way that does not sound rude. Direct speech acts are, however, justified by circumstances in court proceedings. In court, judges can issue orders, and therefore, what may appear rude elsewhere is fitting. Whatever one writes, whether it is a work of law or not, he must be the most careful to avoid saying even more than he intends, to avoid using any ambiguous expressions, or indulging in the arts of politeness. In particular, the role of the judge is echoed in our findings; the imperatives of judgment are clear, unambiguous, and authoritative.



Declarative Speech Acts in Judgments

The declarative speech acts (in the Searlian meaning, commonly known as declarations) are those statements that produce a change in the legal status/situation simply by being stated. The declaratives found in court judgments are ideal for stating the conclusion of a case or determining a legal fact. We have been able to identify 450 cases of declarative acts that, however, compared with directives, play a key role in the function of judgment. In declaratives, the judges assert rights, duties, or the nature of the case, e.g., that there is permission to appeal or that a law is unconstitutional. Such utterances are performative: these are the judgments. When a judge declares that the appeal is allowed, it is not a reporting statement; it will perform the allowance of the appeal.

Take this common instance of a declarative act, which will be frequently found at the conclusion of an appeal judgment:

” Due to the above reasons, the appeal is granted.” (SCP 2025)

In this sentence, the court is stating the result as the appeal is permitted (that is, the decision of the lower court is reversed). Even though the expression of it is an assertive one (subject + verb in present/passive form), it does carry out the act of permitting the appeal. According to the traditional terms used by Austin, this is a performative utterance: in uttering it, the judge performs it (Austin, 1962). Such declaratives are accepted to have power in legal settings. Kurzon (1986) observed that to perform legal acts, judges frequently make declarative sentences in an authoritative tone (with explicit performative markers such as hereby) to achieve this goal. According to Kurzon, legal texts also often depend on such a passive form of declarative language (it is hereby declared, it is adjudged that), or on such overt performatives (I order, We decree). The predominant usage in corpus data was that of the impersonal and declarative phrasing, such as it is declared that, or just saying the decision (allowed/dismissed, etc.), as opposed to the first-person performatives. This detached form of writing gives it an aura of objectivity and formality, making the focus on the decision itself and not the judge as a speaker.

There is another instance of the use of declarative acts to declare legal status:

“Actions in question were unlawful, and they are hereby declared as such.”

In this case, the court does not just categorize some actions as unlawful, but it directly states that they are unlawful. The hereby declared term is a typical performative marker in the legal vocabulary, which highlights that the declaration as such transforms the legal situation (in this case, making the actions illegal). In constitutional or administrative law judgments, such language is often used when a court issues a declaration that a statute is *ultra vires* (or beyond lawful authority) or makes a declaration of the rights of a person(s). For instance, the corpus contains examples such as: “Explanation to Rule 94... is declared *ultra vires* the Elections Act”. These are official declarations that render certain regulations legally non-binding, nullifying such provisions as a direct result of the speech act. This application of declaratives is consistent with the findings of Trosborg (1995) and Diani (2001) in the legislative texts: the use of a formula of promulgation (e.g., it is enacted/declared that..) is frequently classified in such a way in terms of speech acts. The study has found that judges use the same strategy in their judgments in order to exercise what is in effect a law-declaring role.

The dual nature of the declaratives in judgments should be mentioned, i.e., verdictive and declaratory. The first one is verdictive: a judgment of the case (e.g., appeal admitted or denied, conviction affirmed or reversed). The second role is declaratory: the specification of a new fact or status of law (e.g., a law is unconstitutional, the status of a person is X, rights or obligations are specified). Both roles are manifested in many of the judgments, particularly in the higher



courts, which are concerned with constitutional issues. In a Supreme Court decision on a constitutional petition, as an illustration, the verdictive declarative (the petition is allowed) may be followed by a number of declaratory ones in the discussion (Section 5 of the Act is hereby declared void, it is declared that the citizens have a fundamental right to ...). We put all these utterances as declarative speech acts in our examination since they carry out legal changes through declaration. Our data demonstrates that although the whole judgment may consist only of large portions of analysis and reasoning, the point is often reduced to a few effective declarative sentences that resolve the issue.

Pragmatically, the application of declaratives in the court of law is a good example of the way language can be used to formulate reality in institutional terms. A statement made by a judge who has the necessary authority in a judgment is an action in the world (Searle, 1969). Such a statement as the contract is rescinded in a judgment, in fact, leads to rescission of the contract in law. This is what makes such statements only felicitous (i.e., valid and effective) when made by the relevant authority under proper conditions (Austin, 1962).

Conclusively, the interplay of directive and declarative speech acts is a defining characteristic of judicial discourse. This balance allows a judgment to be both authoritative in result and operative in effect. Comparing the results of our study with previous studies, we see that the findings are not exceptional but rather part of a broader trend in legal language: it is action-driven and performative in nature. A court decision has an authoritative voice; it does not merely describe the law but commands and alters the state of affairs in accordance with it. As Austin (1962) famously observed, words in law are peculiar precisely because they are simultaneously words and actions. Our detailed discussion confirms this through the analysis of judicial rulings in Pakistan: words in law actually work.

Conclusion

This corpus-based NLP study of 80 Supreme Court of Pakistan judgments demonstrates that judicial writing is fundamentally characterized by performative speech acts. One of the major conclusions is that directives (e.g., orders and instructions) are much more common than declarations (formal pronouncements of legal outcomes). In particular, the paper found about 757 directive cases, in contrast to 450 declarations in the corpus. The prevalence of such directives highlights the operative nature of such judgments, which is how often the court employs terminology to tell people what to do or to make them do it. In the meantime, declarations, though fewer, are essential because it is through this linguistic process that legal results—such as authorized appeals or the annulment of laws—are formally brought about by a judgment.

Such trends underscore the two-fold nature of judicial language: that judges do not simply describe and rationalize the law but do so through actions themselves, through language. The common reliance on orders underlines the role of the authority of the court to influence the behavior and the execution of the policies. The existence of explicit declarations (such as It is declared that) also indicates how linguistically the courts bring about a change of status or rights in the law, which is consistent with the classic theory of speech acts, which refers to performative utterances (Austin, 1962; Kurzon, 1986; Searle, 1969). From a legal-pragmatic perspective, knowledge of the frequency of such performatives illuminates the way the force of judicial decision-making is attained. Specifically, the directive language presents clearly the obligations or prohibitions, whereas the declarative language is the formal completion of the decision of the court. This observation can guide the drafting and interpretation of legal rules by focusing on the so-called working parts of judgments in which the court specifies what it intends to do.



Overall, the results demonstrate the importance of performative speech acts in court rulings and offer a basis for additional multi-disciplinary studies in the field of law, language, and computation. By shedding light on the way Supreme Court judgments can do things with words, this research offers further insight into legal discourse and helps both legal practitioners and legal language scholars better understand the language of law.

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