



A CORPUS-BASED STUDY OF MODAL VERB USAGE IN HIGH COURTS VERDICTS OF PAKISTAN: A PRAGMATIC EXPLORATION OF LEGAL MODALITY

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Abstract

Modality is an essential phenomenon in linguistics to offer an intuition into how language articulates obligation, necessity, possibility, prediction, permission, and additional linked concepts. It plays a vital role in determining the meaningful utterances, especially by demonstrating the interlocutor's approaches to the truth of an intention or the repetitiveness of an event. Legal discourse is different in terms of technical language usage from every day's common speech. Legislative statements are authoritative in nature as they create, modify, construct, interpret, and are responsible for law enforcement (Tiersma, 1999). The prime interest of this study is to provide the first ever corpus-based pragmatic profile of modal verbs' usage in the High courts of Pakistan. The study is based on Systemic Functional Linguistics (SFL), proposed by Halliday. This study uses SFL to construe how modal verbs contribute to the persuasive and authoritative forces of judgments. Legal verdicts from the four high courts of Pakistan are assisted as the data for the present study. The verdicts were extracted from the official web sites of Lahore, Sindh, Khyber Pakhtunkhwa and Baluchistan's high courts. The data was prepared and POS tagging for automatic annotation was done by AntConc version 4.3.1.0. The findings are based on the collocational analysis of the modal verbs. It is evident from the findings that Pakistani legal discourse is highly dogmatic and deontic in expression.

Key words: corpus-based, legal modality, legal verdicts, deontic modality, epistemic modality.

1. Introduction

Modality is an essential phenomenon in linguistics to offer an intuition into how language articulates obligation, necessity, possibility, prediction, permission, and additional linked concepts. It plays a vital role in determining the meaningful utterances, especially by demonstrating the interlocutor's approaches to the truth of an intention or the repetitiveness of an event. Modality incorporates a wide range of linguistic terminologies, from modal verbs "can" and "must" to adverbs like "possibly" and "definitely" (Palmer, 2001, p.4). A legal verdict is a written decision by the court to resolve disputes that regulates the privileges and obligations of the groups in litigation (Atkinson et, al., 2002, p.1).

Legal discourse is somewhat different in terms of technical language usage from every day's common speech. Legislative statements are authoritative in nature as they create, modify, construct, interpret, and are responsible for law enforcement (Tiersma, 1999). Legislative statements have a conventionalized purpose of mutual communication shared between the

enthusiastic members of the expert community (Bhatia, 1987). The meaning of legal discourse is explained by using specific linguistic devices among the deontic modality to epistemic modality to construct convincing arguments and recognize potential differing opinion. The persuasive language in legal memoranda is responsible in creating predictions about future to build a statement based on existing evidences, the lawmaker must present their claims and objections with cautions to their lines of reasoning (Abbuhl, 2006, p.152). High Courts verdicts serve the function of establishing legal principles as well as give description to the legal circumstances. Modality is considered central to this linguistic attribute of assigning degrees of obligation, possibility, permission and necessity and a tool to handle and give direction to the legal interpretation (Leech, 2003).

In legal language, modality denotes not only hypothetical stances but also functions as an authoritative machinery in shaping legal obligations and permissions (Palmer, 2001). Modality in legal memorandum denotes to the linguistic expression of obligation, possibility, necessity and exigency characteristically appreciated through modal verbs and concerned with the status of proposition (Jaweed, 2025 p.8). These linguistic expressions are characterized into deontic modality as the speaker's interfere in speech events by setting permissions and obligations such as may and shall and epistemic modality as the speaker's access to the modal of certainty, probability and possibility such as might, can, (Angordans et, al., 2002, p.50). The expression of these modal verbs are not interchangeable. Each modal verb encodes a different pragmatic force, and their strategic deployment influences how rights, duties, and legal reasoning are conveyed (Leech, 2003, p. 223).

Corpus based studies gives a potent empirical approach in studying the large amount of naturally occurring datasets. (Gozdz-Roszkowski, 2021, p.1). This is highly precarious in High Court discourses, where linguistic choices imitate institutional authority and judicial dogma. Despite the significance of these linguistic expressions, the pragmatic roles of modal verbs in the verdicts of the High Court of Pakistan remain untouched. Despite having an exceptional post-colonial and bilingual nature of Pakistan's legal landscape—where English relics the primary language of supreme judiciary—this gap represents a dire area of investigation. The current research aims to address a significant empirical and theoretical gap by investigating how modality encodes legal reasoning, judicial stance, and normative force in Pakistani high court verdicts.

1.1. Research Questions

1. What is the overall distribution of modal verbs in the corpus of four High Courts of Pakistan judgments?
2. What pragmatic functions are associated with each modal verb in expressing obligation, necessity and possibility?

1.2. Research Objectives:

1. To identify the frequency and distribution of six key modal verbs: *must, shall, may, can, should, might*.
2. To analyze the pragmatic functions of these models in expressing obligation, necessity, and possibility.

1.3. Significance of the Study

In current era, the amalgamation of corpus linguistics in legal discourse analysis by co-occurrences and co-selection has gained fame across the globe. The prime interest of this study is to provide the first ever corpus-based pragmatic profile of modal verbs' usage in the High courts of Pakistan. The theoretical implications are the understanding of legal modality in non-western and post-colonial judicial discourse to highlight the pragmatic significance of legal enforcement in authority, identity and power construction in Pakistani context. The practical insights of the current study lie in judicial writings, legal drafting as well English pedagogy in legal suite. Methodological significance of this study based on the demonstrative values of corpus-based analysis of Pakistani legal discourse.

1.4. Theoretical Framework

The study is based on Systemic Functional Linguistics (SFL), proposed by Halliday. The basics of this study is based on his notion of language as a social semiotic system (Halliday et, al., 2014). Within SFL, modality is a part of the interpersonal metafunction. Halliday classifies modality into modalization (epistemic) and modulation (deontic) and offered analytical categories like values: high, median, low and orientation in subjective and objective directions. SFL is particularly suited to legal suite because it places high interest how modal choices execute institutional authority and construct speaker-judge positioning. This study uses SFL to construe how modal verbs contribute to the persuasive and authoritative forces of judgments.

2. Literature Review

Corpus linguistics is a data-driven methodology that utilizes large, machine-readable text collections (corpora) to analyze language use in real-world contexts (Biber, 1993). It is predominantly compatible to legal discourse, where language is dignified, patterned, and context-specific. Teubert and Krishnamurthy (2007) argued that corpus approaches reveal unseen dogmas and pragmatic tactics in institutional texts. Breeze (2019) demonstrated that jurisdictional discourse employs idiosyncratic stance and rendezvous strategies, while Gozdz-Roszkowski (2021) showed how the evaluative legal terminologies differ across legal suite. Furthermore, recent contributions like Dehghan and Deroey (2023) explored modality and evidentially in courtrooms, to expand the scope of corpus pragmatics in legal frameworks.

The representativeness and balance of legal corpora is difficult to assemble. Legal corpora must comprise diverse genres- constitutional reviews and civil litigation to divulge stylistic, semantic and pragmatic variation (Flowerdew, 2004). Studies like Biber et al. (1998) and Gómez-Moreno et, al., (2020) highlight that corpus-based legal study allows both frequency-based generalizations and discourse-level interpretations, offering new insights into how legal norms are constructed linguistically.

Systemic Functional Linguistics, developed by Halliday and Matthiessen (2014), viewed language as a foundation for endorsing social functions. Language is classified into epistemic (modalization) and deontic (modulation). This classification is done with the help of irrealis, interpersonal and textual interpretation of language. Epistemic modality is about prediction and probability and deontic expression is about obligation and inclination. It further examines modal verbs in terms of subjectivity vs objectivity by high, median and low values. Modal verbs such as "must" and "shall" having high-value deontic expressions while modal verbs like "might" and "could" show low-value



epistemic expressions. Legal texts are concerned with objective orientation (Halliday & Matthiessen, 2014).

SFL is very useful in analysing language in legal discourse, where modality provides the basis for the formation of legal norms, functionalities and for the interpretation of court verdicts. Thus, modality becomes a powerful tool for emphasizing institutional dominion. Pragmatic functions are fundamental to modal verbs in legal discourse to extract exact meaning.

Epistemic expressions allow judges to maintain rhetorical flexibility and to make categorical statements (Feteris, 2017). Similarly, deontic expressions are capable of binding permissions as well as instructions. Many corpora based studies on legal modality have been conducted. Bieber et al., (1999) studied the frequencies of high modal verbs in legal text and gave reasons to the questions of why modality, nominalization and use of massive subsidize the traditional way of using English language in legal discourse. Their introductory work empowered following researchers to trace pragmatic functions of modals verbs across different genres.

Dong and Li (2011) conducted a relative analysis of Chinese and British legislative texts, and found significant cultural discrepancy in the manifestation of deontic modality. They found that Chinese texts implies the expression of obligation in contextual implication while British texts use explicit modality like *must*, while Chinese texts often conveyed obligation through contextual inference.

Gozdz-Roszkowski (2021) used a multi-genre corpus to analyze the phraseological patterns in U.S. judicial opinions and witnessed a constant diachronic drop in the use of “shall”, and this drop is replaced by “must” and “may”, especially in judicial rulings. This study focused on the usage of modal verbs by judges in court verdicts to construct reason and power by the use of estimated phraseologies. To extend this work, Breeze (2019) compared the use of modality in judgments of the European Court of Human Rights (ECHR) and the Spanish Supreme Court (SSC). She found that epistemic expressions play vital role in piloting multifaceted problems of human rights and covering the judicial distance. Her results affirmed that these modal choices are functionally responsible for the creation of linguistically designed legal stance.

Heffer (2005) examined courtroom interactions and found that lawyers frequently employ high-value modal verbs to proclaim control over the discourse, while witnesses and defendants tend to use hedging language and epistemic modals to signal vagueness. He succeeded to demonstrate how modality supports in controlling power dynamics within confrontational legal settings.

In last few years, researches continued to determine the effectiveness of corpus analysis in legal frameworks. Dehghan and Deroey (2023) studied modality in courtroom corpora and highlighted that judges deliberately use epistemic modals for interpretations of judicial claims to maintain judicial decorum and objectivity. Their work highlighted the assertiveness and impartiality of legal discourse.

In the South Asian context, however, empirical corpus-based studies remain limited. Ahmad and Jabeen (2022) analyzed Pakistani contract law documents and noted persistent use of *shall* and *may*, often driven by inherited British drafting traditions. However, their analysis lacked a broader pragmatic or genre-based comparison across case types. Sarwar and Qureshi (2021) examined linguistic remnants of colonial-era English in lower-court judgments and pointed out the continued use of archaic modal verbs, though their study was more descriptive than quantitative.

Mughal et al. (2025) offer one of the few comprehensive corpus-based investigations of Pakistan's Supreme Court language. Analyzing 113 apex court judgments comprising approximately 770,000 tokens, they identified a wide array of epistemic and affective hedging strategies. While their work illuminated how judges manage uncertainty and politeness through language, modal auxiliaries were treated tangentially rather than as the main focus.

Afsar et al. (2023) highlighted how modality contributes to the institutional positioning of the judiciary in public interest litigation, but their study did not differentiate modality patterns between case types. Likewise, recent work by Khan and Javed (2024) explored linguistic variation in constitutional petitions versus civil appeals and found preliminary evidence that political judgments rely more heavily on *may* and *could* than civil ones. However, their dataset was limited and lacked full corpus integration.

Furthermore, Rahman and Rehman (2024) conducted a pilot analysis of Supreme Court press releases and found higher frequencies of epistemic modals in politically charged rulings, indicating a strategic rhetorical shift depending on public visibility. Though informative, these studies reinforce the need for a genre-specific, large-scale, and functionally grounded analysis of modal verbs in Pakistan's apex court.

Thus, a major research gap remains regarding how modality functions differently in civil versus political Supreme Court judgments in Pakistan. Prior studies either lack the methodological rigor of corpus-assisted discourse analysis or do not isolate modality as a central variable. This study aims to fill that void using a purpose-built, balanced corpus and a fine-grained SFL-informed analytical framework to systematically investigate modal verb usage across legal case types.

Legal judgments are not linguistically uniform; rather, they are tailored to the communicative goals of the case type—civil, criminal, or political. Civil and political cases differ significantly in their institutional functions, audience expectations, and rhetorical purposes. As such, these distinct domains foster contrasting patterns of modal verb usage, which encode legal authority, suggestive reasoning, and judicial stance.

In civil judgments, modality is primarily directive and binding, reflecting the adjudication of interpersonal disputes—property, contracts, torts—where precise legal obligations are paramount. Modal verbs such as “must”, “shall”, and “should” dominate this domain. For instance, *must* appears frequently in procedural and prescriptive contexts, such as “The petitioner must comply with notice requirements.” The verb “shall”, though increasingly replaced by “must” in modern drafting conventions (Garner, 2001; Kimble, 2010), still persists in Pakistani legal English, where colonial-era linguistic structures are maintained (Sarwar & Qureshi, 2021; Rahman, 2004). Additionally, “should” is used to indicate judicial recommendations or guidance, particularly in obiter dicta, without carrying binding legal force.

In contrast, political or constitutional cases address broader, often abstract questions related to governance, constitutional interpretation, and fundamental rights. These cases require the court to navigate complex institutional relationships and uphold the separation of powers. In such contexts, judges often employ epistemic and discretionary modality, relying more on modals like “may”, “might”, and “could” to indicate interpretive flexibility and institutional restraint. For example, article 184 (3) of the Constitution of Pakistan, phrase like " The Court may exercise jurisdiction. " is insinuating that Court has an elective authority instead of declaring a clear authorization.



Legal verdicts of Supreme Court of Pakistan reflect circumspective and elucidative status about the termination of national Assembly, judicial review about directorial moves and even the electoral's disqualification. Modal verbs like "may" and "might" are used by judges to frame legal status which is flexible but bossy at the same time and recognizing the legislative interpretation of legal verdicts (Mughal et al., 2025). The statement used by judges in Political cases especially in Imran Khan vs. Mian Nawaz Sharif is "may be deemed. " to preserve the institutional aptness which influences on the choices of modal verb usage to make an equilibrium between legal demureness and dynamic statements. This prodigy is termed as a modal mitigation which permits Courts to declare authority without compiling it to adjust legality in political fluctuating scenarios (Dehghan & Deroey, 2023).

Modality usage is also framed by the pretentious duty. Civil verdicts aimed at resolving disputes and for law empowerment and preferred to use modal verbs like "may" and "shall" to observe legal tasks. Political verdicts are principle-driven in nature and Courts judgments are in normative time to develop and maintain constitutional standards. Modal verbs like "may", " could", and "should" give doctrinal inquisition without declaring a direct implementation.

There is a strategic ambiguity due to socio-political haughtiness of political edicts. Courts allow interpretive resilience to justify their intellection for unborn cases which is much relevant to Pakistani context, where verdicts lay out political consequences as well as public opinion. Epistemic modals help to manage public contemplation and devitalize argumentative convictions (After et al., 2023).

The use of modality in Pakistani judicial discourse is highly responsive in legality, political acuity and explanative intricacy due to its operation in post-colonial bilingual context where English acts as a superior language of judiciary albeit Urdu serves in social communication. This diglossic stratum is evident in legal Pakistani legal verdicts by the use of modal verbs which results in structural, stylistic and pragmatic strain. Because legal English in Pakistan is maintained by archaic and rigorous syntactic disposition towards British colonialism (Rahman, 2004; Sarwer & Qureshi, 2021).

Post-colonial elite class in legal profession took English as an emblem of superiority and authority in legal precision (Rehman, 2004). This attributed language also charge suppression on syntactic adaptability and constitutional coinage. The use of modal verbs like "shall", " must" and "may" is not always functional but is inherited from colonial templates (Kimble, 2010). The use of "shall" in Pakistani judiciary continues to rule the legislative manual even after its fall in American judicial drafting or contemporary British (Gozdz-Roszkowski, 2021).

In post-colonial contexts, there is a diglossic stratum; one which illuminates fidelity to transmit legal language and their English other pushes for natural and pragmatism (Kachru, 2005, Bhatia, 2017). This diglossic stratum gives birth to a hybrid modality, where epistemic and deontic meanings of modal verbs are applied inconsistently as the use of modal verb "may" function as an epistemic hedge when translated from Urdu as "skta hai" which covers the wide semantic ground in comparison to their English match.

Current studies in the field of corpus linguistics highlight that modality in legal discourse is exploitable to linguistic and cultural transfer. In multilingual societies, speaker's modal choices are designed by cultural beliefs about obligation, ranking and aggregation (Dong, 2013). This concept

is similar with the results by Urena, Gimez-Moreno and Rea Rizzo (2020), who state that modality in legal discourse remarks both grammatical need and sociopolitical stratum. In the context of Pakistani legal discourse, this shift can be seen by the judges who use indirect modality and by those who adopt direct deontic modality. This shift is due to the difference in education between Urdu medium and elite class English medium schooling of judges which reveals how these judgements are taken in consideration in terms of clarity, legality and assertiveness (Mughal et al., 2025).

English and Urdu code-switching in legal procedures intricate modality. As formal opinions are written in English, cross-examination, oral controversy and preparative yearnings often carry out in regional languages. This interface of modality may arise the conceptual mismatches especially in the interpretation of legal charge (Mahboob & Jain, 2014). Such mismatches result in boosting the problems regarding linguistics impartiality and an access to neutralism. This shift in modality is not at linguistic level but also at ideological, to reveal his power is made and generated in post-colonial organizations (Afser et al., 2023). This study revealed that their judgements often oscillate between deontic and epistemic expressions and this oscillation depends on what kind of their audience is, whether it is media or a common public.

In South Asian context, several global Plain English Movements have been started for the appropriateness to simplify legal language. And many Pakistani judges support this by taking in clear forms by substituting "shall" with "must" while others oppose this kinds of reforms, stating that legality depends on the traditional judicial notions (Garner, 2001; Khan, 2017).

Legal text in Pakistan is consisted on sociolinguistics, historical and ideological notions. Due to having post-colonial and bilingualism, there exists a hybrid modality due to geographical, colonial patrimony, common linguistic standards, institutional prospects and academic backgrounds. Corpus linguistics enables scholars to reveal how ideology, power, cautions and responsibilities are transmitted through legal discourse even in South Asian context. The current literature background highlights how modality is central for judicial reasoning and for organizational authority. Hybrid methodology of the current study, combing Corpus linguistics with SFL, is utilized to explore the nature of modality across Pakistani legal discourse. There is a vast variety of research in Anglo-American context, but Pakistani verdicts remained untouched. To fill this research gap, the current study gives new horizons about how Pakistani High Courts uses modality pragmatically to personalize predictions, obligations, responsibilities, necessities and possibilities.

3. Methodology

Legal verdicts from the four high courts of Pakistan assisted as the data for the present study. The verdicts were extracted from the official web sites of Lahore, Sindh, Khyber Pakhtunkhwa and Baluchistan's high courts. The data, after being downloaded from the web in PDF format was saved in word files. Then the word files of these trained verdicts were transformed into a notepad file (txt) through Ant File Converter version 2.1.0.0. because the analytical software took only txt files for statistical analysis. The researcher collected and established an aggregate corpus of 160 legal verdicts of 3,56,952 tokens consisting on 41128 tokens from Lahore high court (LHC), 159960 tokens from Sindh high court (SHC), 51690 tokens from Khyber Pakhtunkhwa (KPKHC) and 104185 tokens from Baluchistan high court (BHC). The data was prepared and POS tagging



for automatic annotation was done by AntConc version 4.3.1.0. For reader's enhanced appreciation, the researcher drew the following table.

Table 1 description of the corpus of LHC, SHC, KPKHC and BHC

Sr No.	High Courts	No of Verdicts	Tokens
1.	Lahore high court	40	41128
2.	Sindh high court	40	159960
3.	Khyber	40	51690
4.	Pakhtunkhwa Baluchistan high court	40	104185
Total		160	3,56,952

The statistical analysis was carried out through AntConc version 4.3.1.0 for the identification of modal verbs in legal verdicts. This software has some specific statistics tools such as frequency, file view, concordance hits termed as key words in context (KWIC) to display the frequency of the modal verbs being examined. In KWIC, the modal verbs are colored blue., whereas the next word after modal verb word is colored red. The second adjoining word to the modal verb is colored green and the third adjoining word is colored light violet. This kind of differences in color schema helped the researcher to recognize the exact context in which the meaning of modal verbs is conveyed. By clicking on the blue color, the software took the researcher to the complete sense where the modal verb was formerly used.

The researcher maintained the word display on both sides of the modal verbs to acquire the comprehensive sentence which aimed at fulfilling the proposal of Leech (2003) by establishing the usefulness of modal verbs as having a modal force. If there is absence of modal force, then it was obliterated from the revealed hits. For quantitative analysis, certain limitations were fixed to govern the numerically strong modal verb in the legal corpus. At first, modal verbs with frequency higher than 52 were considered pragmatically significant and below were insignificant for the analysis. Secondly, modal verbs carrying negative markers were not taken for guaranteed to avoid meaning indeterminacy (Coate, 1987). These limitations helped the researcher to reach at the desire conclusion. Then these hits were clichéd and transformed on an excel database. The frequencies of modal verbs were also logged and equated. For the identification of modal verb's category, the researcher trusted on the benchmarks set by Palmer (2003) and Saeed (2011). Over, the pragmatic functions of modal verbs were also illustrious grounded on X Li (2020). A qualitative analysis was done using AntConc 4.3.1.0. on the legal verdicts of four high courts of Pakistan to recognize the underlying themes, arrays of modal verbs and identifying their pragmatic significance. The statistical analysis showed the high volume use of central modal verbs such as "shall", "can", "may", "must", "should" and "might".

Systematic functional linguistics (SFL) theory proposed by Halliday (1960) was opted for the current research model. The theory exposed the pragmatic capacity of modal verbs by classifying them into epistemic, deontic and dynamic type on the bases of their use for authority, solidarity, persuasion, hedging and politeness in legal discourse. The next stage was a qualitative investigation of the modal verbs to study their pragmatic functions in legal context. This was done through concordance hits in the AntConc software. The KWIC hits of modal verbs gave an insight

into a more comprehensive analysis of pragmatic features in legal discourse. These pragmatic features of modal verbs are functionally associated.

4. Analysis and Conclusion

The annotation scheme for the modality of the current corpus based study is

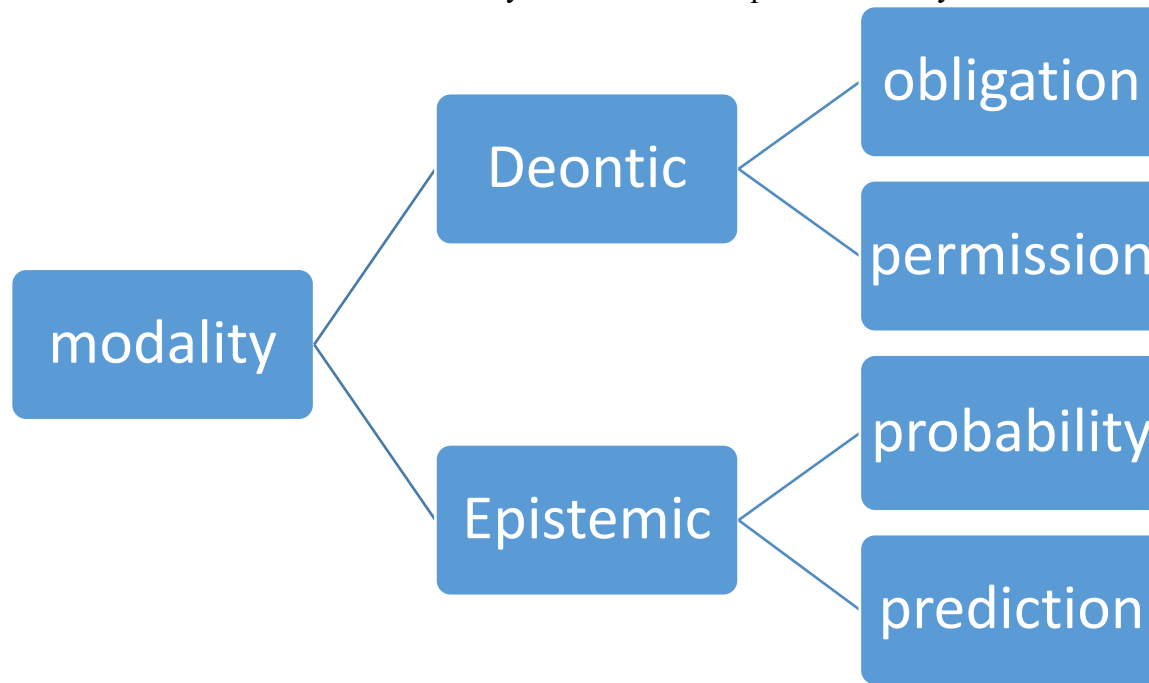


Figure 1. annotation scheme of the legal corpus

Six dominant central modal verbs were derived through the analysis of legal corpus via AntConc corpus software. These central modal verbs appeared pragmatically significant. The frequency hits of the modal verbs under examination has been established to perform a corpus-based study (Baker, 2006). The overall frequency hits of the target modal verbs with their numeric strength is given below

Table 2. Rank, frequency and normal frequency of the modal verbs

Word	Rank	Frequency	Normal Frequency
May	1	666	1865.79
Shall	1	665	1862.99
Can	1	354	991.73
Should	1	216	605.12
Must	1	157	439.83
Might	1	17	47.62

The above table extracted from AntConc software, reveals that the modal verb **may** have the highest occurring modal verb having frequency rate of 666 and ranked 1st showing the most commonly occurring lexical item in the target corpus. The second most frequently occurred lexical item is **shall**, having a frequency rate 665 and also ranked 1st. In all the six central modal verbs,

might was taken as the insignificant modal verb with frequency 17 in the target corpus. The image of the concordance hit of **may** in the corpus is given below

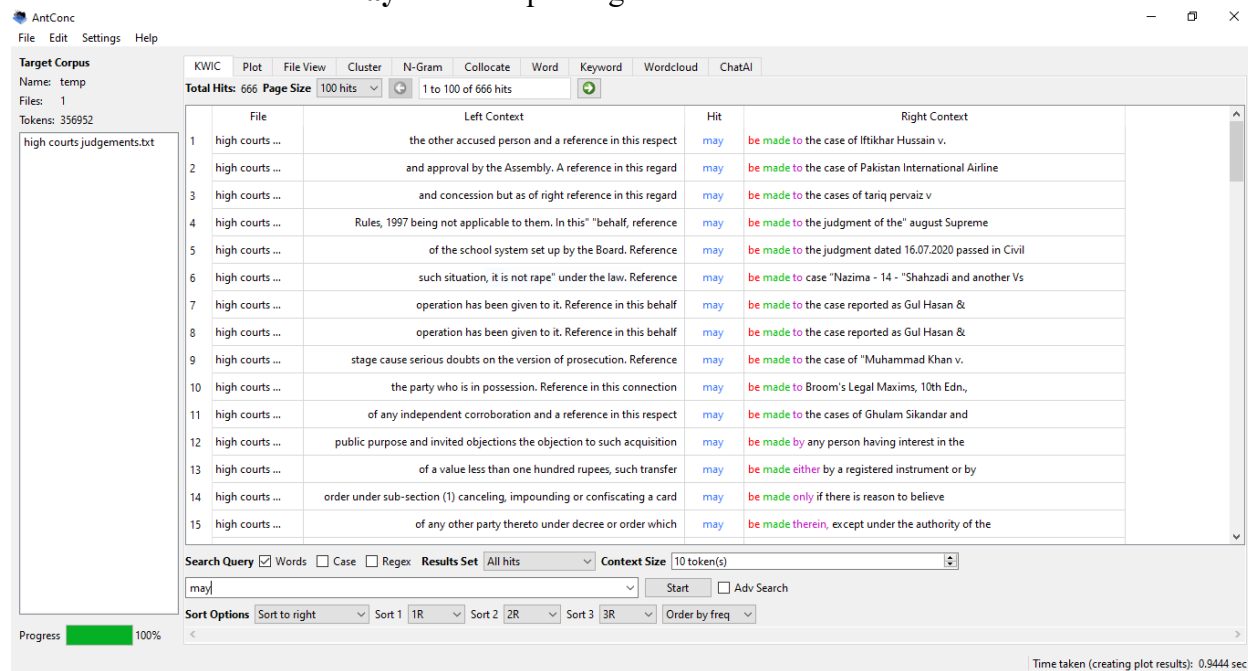


Figure 2: KWIC lines indicating the occurrences of the modal verb “may” in the corpus

Gray et al., (2021) proposed two tenets for a corpus based study. First dealt with the quantitative count of linguistic feature and second with the pragmatic functions of that linguistic features. The pragmatic function of six central modal verbs are discussed through the sentences which act as components of analysis.

1. May

The modality verb may show diverse meanings as it shows both deontic and epistemic modalities. Out of 52 collocates of “may” the maximum freqRL of **may be** is 421 and shows its epistemic nature. The most frequently occurrence of this may be reveals that the verdicts used to mention the possibility of the subject being discussed. The freqRL of “may of” is 211, “may as” is 150, “may that” is 142 and highly deontic in expression, “may or” is 96, “may it” is 91 and “may such” is 70 etc. throughout the corpus.

-- It **may be** noted that according to Mahomedian Law right of inheritance—

--acknowledgement **may be** in the express or implied—

All other collocate frequencies of “may” are below 52 and marked pragmatically insignificant.

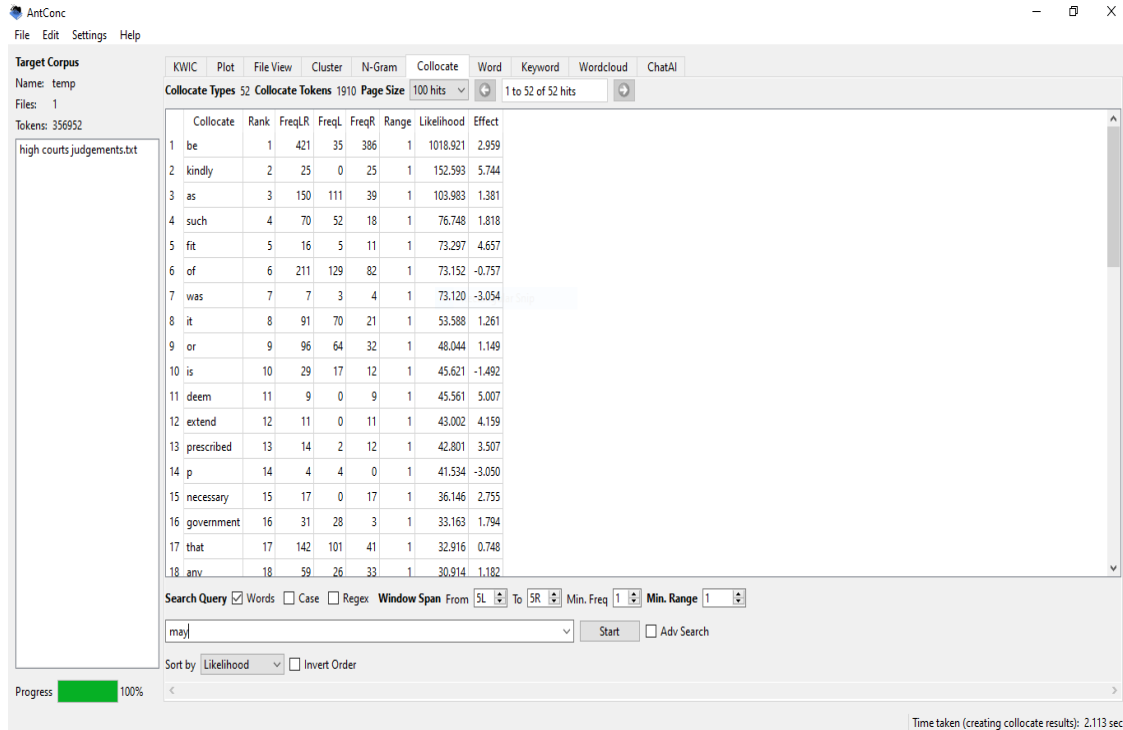


Figure 3: collocate list of the modal verb “may” in the corpus

2. Shall

Shall reveals the meaning of obligation. It implies deontic modality. Out of 70 collocates of shall, “Shall be” is the lergerst used collocate having a freqLRof 401 in this corpus . The 2nd most commonly occurred collocate of shall is “shall an” indicating a freqRL of 151. The freqRL of “shall not” is 101. While all other collocates of shall are below 52.

---the mother remaining unmarried, shall be conclusive proof---

--- a sum of Rs.1,000,000/-shall be paid to the wife.

--- it shall not only be hazardous, rather may distort---

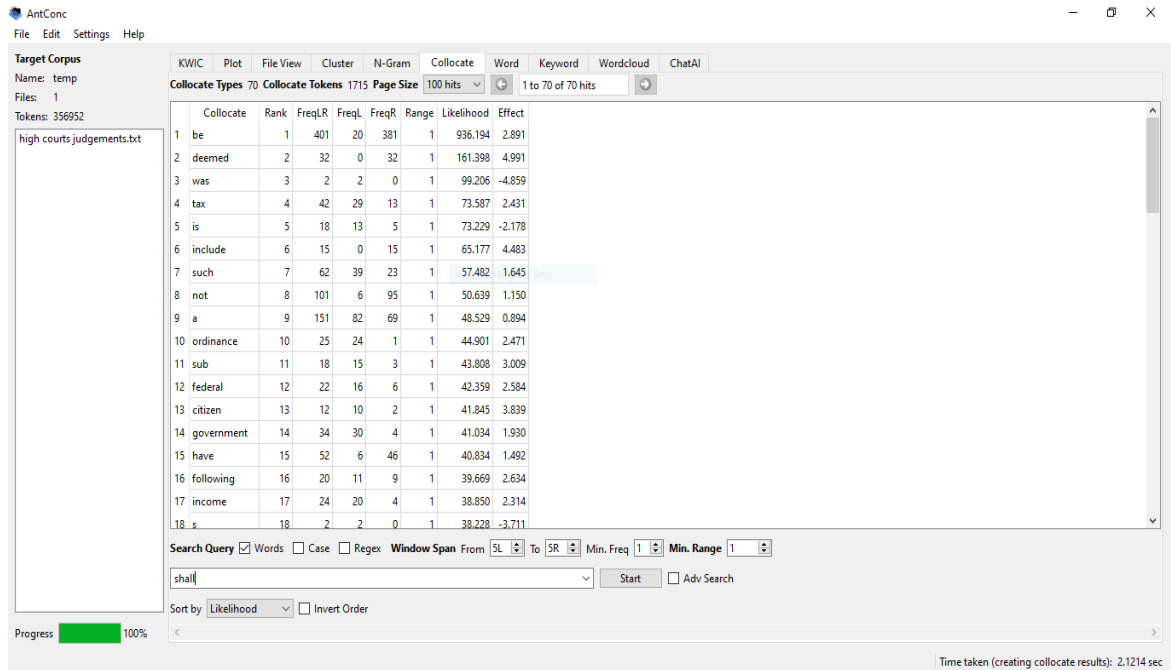


Figure 4: collocate list of the modal verb “shall” in the corpus

3. Can

According to Pullum (2014), “can” reveals the capacity of handling things together on the part of speaker. It implies the act of taking permission or in some cases it implies possibility. so “can” acts functions of epistemic as well as deontic modality. “Can be” is the most frequently occurred collocate in this corpus showing a frequency of 261 which shows epistemic modality in terms of possibility. “Can of” has 91 freqLR. While all other collocates of can are below 52.

- a conclusive presumption can be drawn that he/she is his/her legitimate—
- There can be no lawful denial of paternity after this stipulated period.

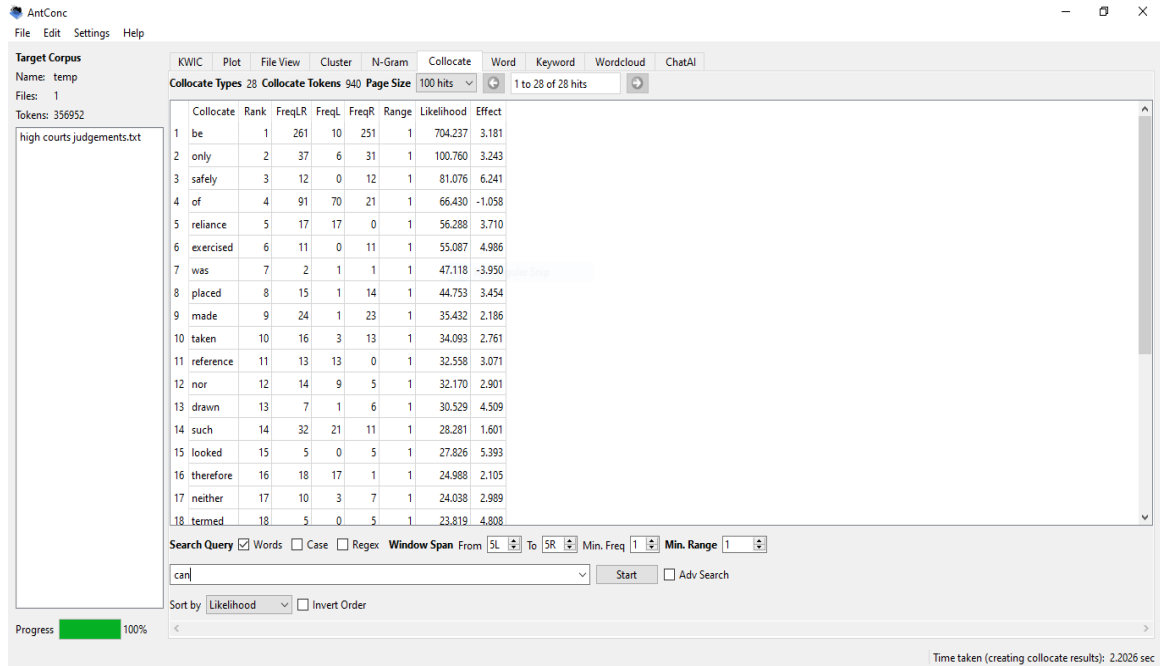


Figure 5: collocate list of the modal verb “can” in the corpus

4. Should

“Should be” is the most frequently occurred collocate in this corpus showing a frequency of 135 which shows deontic modality in terms of obligation or recommendation. The 2nd most commonly occurred collocate of should is “should not” indicating a frequency of 86 and shows deontic modality in terms of prohibition. “Should that” have freqLR is 58 and shows deontic modality in terms of conditional obligation. While all other collocates of should are below 52.

---it should be noted that in order to prove the family lineage;

-- even then the cases should be filed at the lowest level according to the settled law.

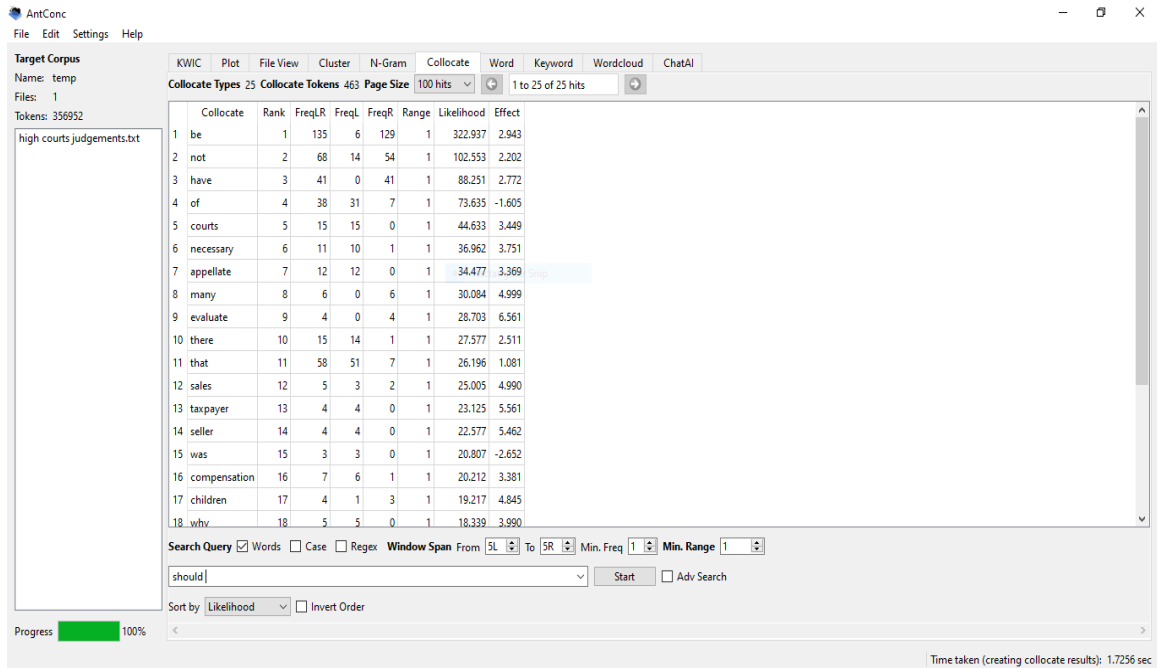


Figure 6: collocate list of the modal verb “should” in the corpus

5. Must

The fifth central modal verb that marks modality in the corpus is “must” indicating the meaning of necessity and obligation.

The freqLR of modal verb “must be” is 100 which is pragmatically significant. Must be indicates deontic as well as epistemic expression of modality. The examples below backing this assertion:

--- that the plaint must be deemed to contain the whole truth and nothing but the truth.

Here the statement shows a prerequisite in a legal text that the plaint is bound to a obligatory judgement.

--- legitimacy/paternity must be denied by the father immediately after birth of the child—

--- the route of such litigation must be turned towards the speedy—

The frequencies of modal verb “must not”, “must also” and “must take” indicating the meaning of necessity and shoes deontic expression of modality and their freqLR are 5, 4 and 3 respectively which are pragmatically insignificant.

---- which it is so done, must not only be strictly constructed—

---Octroi but the import within the Octro' limits must also be coupled---

--- at the same time one must take note that the present case is not that of legislation--

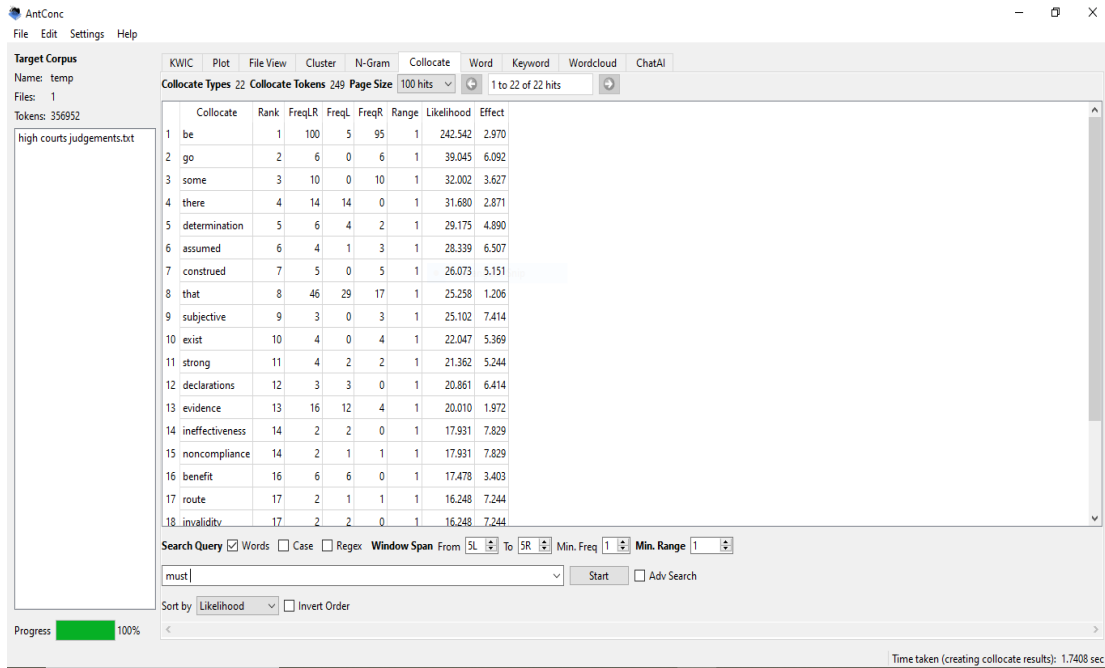


Figure 7: collocate list of the modal verb “must” in the corpus

6. Might

The least used modal verb is “might” having an average frequency 17. The freqLR of all the collocates of modal verb “might” is below 52 which shows pragmatically insignificant. This modal verb shows deontic as well as epistemic modality. The examples below backing this assertion:

-- “permanent residence” might be a pure question of fact as to his residence---

-- the third party which might have been created by--

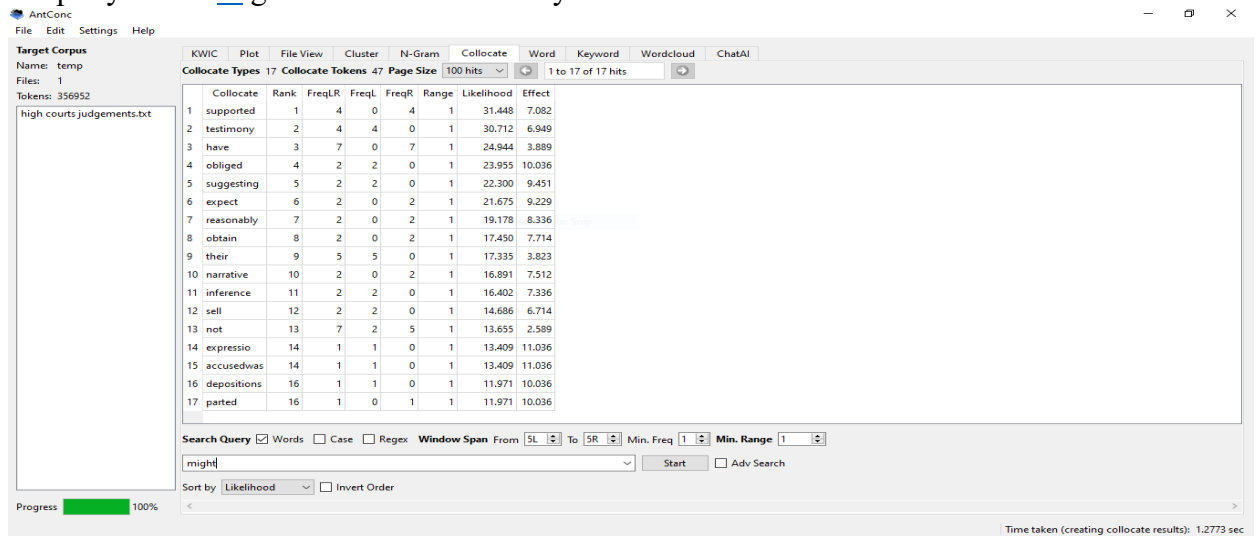


Figure 8: collocate list of the modal verb “might” in the corpus



5. Conclusion

Based on Halliday's (1996) SFL, a comprehensive conclusion is drawn about the functional role of modal verbs in a legal discourse. The current study has developed the fact that modal verbs disclose positive intentions of speakers and highlights some important patterns about the manifestation of obligation, necessity, permission, inclination and certainly in a legal discourse. They are flexible in their nature and served the function of precise authority markers, conditions, duties and rights. Their frequency distribution across the legal discourse highlight the pragmatic function of law. To answer the first proposed questions, it is evident from the findings that Pakistani legal discourse is highly dogmatic and deontic in expression. The extensive use of modal verbs "may" and "shall" with high frequency ratio 666 and 665 respectively reflects the deontic nature of legal language. According to Gruyter (2009) the excellence of inevitability linked with legal "shall" supports in explaining why the lawmakers often favors to use a laissez-faire expression when to perform a legal duty in terms of function and power rather than to perform a positive duty to establish a balance between efficiency and thrifts. The lawmakers, therefore prefer the use of "may" to "shall" (p.187). This study confirms the results of Lee's (2013) by showing the multiple layers of meaning of obligation and necessity offered by "must" and "should" used in academic writings. The current findings oppose Sue et al., (2017) worked on the instances of epistemic modality- whether it is implicit or explicit in Civil court verdicts of Hong Kong and Scotland and found that both orientations of epistemic modalities are present in the legal discourse. Current studies on legal verdicts validate this diversity. The current study also negates Breeze (2019) and Gozdz-Roszkowski (2021) views who argued about the U.S and European's constitutional Court rulings which tend to show higher epistemic frequencies of modal verbs. This kind of language use results in obtaining more infer and hypothetical outcomes without any definitive assistance especially in politically dodgy rulings. They have similar view as Feteris's (2017) who revealed that epistemic modality helps in maintaining logical and highfalutin in belligerent intellection in legal verdicts.

The pragmatic function of "can", "should" and "must" show the deontic modality that are used to express the degrees of obligation and some kinds of requirements. The very low frequency of "might" which is 17 indicate that it is a low use modal verb in Pakistani legal discourse. Modality indorsed the interlocutors to exchange numerous interactional senses. The present study shows that Pakistani legal discourse use more deontic expression than epistemic unlike the study of Gairdner (1992) whose aim was on persuasion construction in discourse and similar with the study of Segal (1997) who work on the modals of permissions and obligations.

Future recommendations and suggestions

The study gives insight into the type of modality used in the overall verdicts of Pakistani high courts. This study gives direction for the future research to find out the modality in specific legal domains i.e. civil, political, criminal cases and even in the language employed by investigators during First Information Report (FIR).

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