



TEXTUAL ANALYSIS OF SHARI'AH CIRCUIT COURT DECISIONS

Ramlah A. Ampatuan

1. Introduction

1.1 Rationale

Legal documents incomprehensibility among ordinary people is a main problem due to the high sounding and technical words used by legal counsels or presiding judges in their court decisions. Law becomes the central focus, and language serves as an avenue for understanding the legal process and the workings of that system. Thus, forensic linguists have opposed the existence of ambiguity and archaic terminology in legal texts, regulations and court decisions. With the above statement, I have developed interest in analyzing the corpora of Shari'ah circuit court decisions employing textual analysis in determining the linguistic features, cohesive devices, and the overall structures which will serve as a vehicle for understanding not only the legal terms evident but also the structure of the Shari'ah circuit court decisions (Ramezani, Arefeh, & Kathayoun, 2016).

Language is the medium of communication and of course laws are expressed by language for its application and use. Shari'ah in the Philippines is governed by the Supreme Court as the highest court and it is limited in settling Muslim civil cases under P.D. 1083 and this court cannot properly practice Islam laws as defined in the holy Qur'an. Shari'ah law decisions have become the foremost component of complexities and leads to confusion, and the analysis becomes the tool for appreciating every decision that will be resolved (Antonio, 2005).

Thus, the present study could be a contribution to the few studies which analyze Shari'ah circuit court decisions and it will also contribute to the applied linguistics body of knowledge.

1.2 Theoretical Lens

This study is anchored through the lens of Leonard's (2004) view on Forensic Linguistics. The use of linguistic features in order to study a document is a well-known technique based on the theory of language of Finegan (2004) which states that language system can be understood in terms of linguistic features; Halliday and Hassan's (1976) cohesive devices; and Finegan's (2004) language structure and use. This study can also be seen from the work of Leonard, Ford, and Christensen (2010) in the field of forensic linguistics (FL). They considered that a language is a finger print to be studied and analyzed. Hence, through this study, lawyers can be assisted in seeing language structure in ways that they are not trained to do so. This forensic linguistics study might possibly lead to a healthier understanding of how legal language functions.

In addition, McMenamin (2002) emphasized that forensic linguistics is a scientific study of language applied to forensic contexts and purposes. He further expounded that FL is one of the disciplines of applied linguistics whose basic concern is to extend help in resolving forensic problems and cases. Forensic linguistics applications includes the following: analysis of discourse in the legal setting, analysis of courtroom discourse, authorship identification, interpretations of expressed meaning in legal writings and laws, language of law, analysis of court decisions, police reports and voice interpretations among others.

2. Methods

This research endeavors establish the processes of employing textual analysis of Shari'ah circuit court decisions (SCCDs). This described the linguistic features of the SCCDs, which are limited to morphology and syntax, cohesive devices and over-all structures. To achieve the purpose of the study, an appropriate methodology is drafted.

2.1 Research Design

In accomplishing out this study, I used the qualitative research design. An approach to forensic linguistics using textual analysis of legal documents particularly the Shari'ah circuit court decisions is employed. Linguistic features techniques, which was limited to morphological and syntax analysis, cohesive devices and a description of the overall structures of all the decisions treated provided the corpora in this study. It was used in describing the data in words and to make interpretations of the findings.

2.2 Research Materials

The linguistic corpora used in this study were 50 decisions made by the Shari'ah Circuit Court Presiding Judges defended by different Shari'ah court legal counsels within the ARMM province and Region XII in Mindanao, Philippines. These decisions were the results of resolving Muslim civil cases filed from 2014 to 2016, they were used due to recentness reason.

The Shari'ah circuit court decisions are composed of different decisions, judgment, and orders. From confirmation of *Talaq* divorce (repudiation of husband) to *Faskh* (Spoilage of Marriage) divorce; including petition for the confirmation of several cases resolved by the presiding judges.

The corpora were gathered from Region XII and ARMM only because the researcher does not have access to other Shari'ah circuit courts in other regions. Other presiding judges were hesitant to share the documents they filed in their respective Shari'ah district circuit courts.

2.3 Data Collection

Creswell (2007) presented that one of the processes of data collection is the use of documents. Hence, data taken from the Shari'ah circuit courts were organized and categorized systematically (Creswell, 2013) so that review will be made easy with the available corpora.

The collection of 50 Shari'ah circuit court decisions was challenging at first. I personally talked and solicited ideas from a Shari'ah court lawyer, who was a friend of my sister and provided me ideas on how I could acquire my needed corpora. Then after that, we visited the Regional Trial Court in Cotabato City and looked for clerk of court several times but every time we went there they were so busy or they did not hold office for it was a holiday. But in the end I got corpora from Atty. Zacalia B. Akmad, a Shari'ah lawyer practitioner; Atty. Rodjipay A. Mangulamas, the President of Bangsamoro Shari'ah Lawyers League of the Philippines.

Attorney Mangulamas advised me to send letters addressed to the five Shari'ah Circuit Court presiding judges: Judge Montano K. Kalimpo, Alhadj – 1st Shariah Circuit Court at Cotabato City; Judge Abdilah K. Nul, Alhadj. – 4th Shariah Circuit Court at Datu Piang Maguindanao; Judge Datukaka P. Camsa, Alhadj. - 2nd Shariah Circuit Court Datu Odin Sinsuat Manguindanao; Judge Mohammad Saga Nilong

Saliao – 4th Shariah Circuit Court at Kabacan North Cotabato; and Judge Mutalib S. Tagtagan – 5th Shariah Circuit Court at Kidapawan City. Setting of appointments was made for each judge from which I personally asked permission to get corpora of Shari'ah circuit court decisions and I was accompanied by Attorney Mangulamas for three months. While completing this phase unfortunately, only two Shari'ah circuit courts provided me with my needed corpora to be used for analysis.

2.4 Data Analysis

In the linguistic analysis, I examined the corpora using morphological and syntactic analysis, determined the cohesive devices such as referencing, substitution, ellipsis, conjunction and lexical cohesion, and the parts of the SCCD to determine its over-all structure.

In the analysis, I assigned codes like "Y^x Shari'ah Judicial District; Y^{xx} Shari'a Circuit Court"; "MR. XXXX-..."; "MRS. XXXX-..."; "Civil Case No. 2014/2015/2016-xx1..."; "Address – x – 1 – Mr. ..."; "Child 1", and so on and so forth to protect the identity of the Shari'ah Judicial District; Shari'ah Circuit Courts, the presiding judges, the people involved in the cases, their children, addresses and other relevant information. This was also done to protect the ethical consideration of the Shari'ah circuit courts and the people involved in the resolved cases as mentioned in the decisions made by the Shari'ah circuit court presiding judges.

2.5 Trustworthiness

The validity of findings is the most important goal of a research work based on its reliability and peripheral assessments, as supported by Gay et al., (2006). They revealed that researchers can establish the trustworthiness of their research studies and findings by addressing the criteria for validity, namely, credibility, transferability, dependability and confirmability (Lincoln & Guba, 1985).

Transferability refers to the external validity or the generalizability of the study. It is defined by Gay, et al. (2006) as the “researcher’s belief that everything is context-bound”. To meet this standard a comparison on the similarities and differences of given text with other texts to make a sound judgment of other possible contexts was done. My study could be replicated by those who wish to conduct the same endeavor. There are studies already conducted using Shari’ah circuit courts legal documents but on textual analysis employing forensic linguistics analysis to court decisions is limited.

Dependability refers to the stability or the reliability of data. Ary, Jacobs, Sorensen and Walter (2013) highlighted that dependability is met by instituting an “audit trail”. Audit trail was accomplished by involving my classmates, evaluators, experts and adviser in dissecting the process of collecting, analyzing and interpreting the content of the Shari'ah circuit court decisions. It also traced how the information, particularly the text in the decisions, were used in arriving implications and recommendations which were gathered and analyzed during the conduct of the study.

Confirmability is referred to as the neutrality or objectivity of the data collected. It can only be realized by applying triangulation (Denzin & Lincoln, 2000). Triangulation is used to allow multiple perceptions to clarify meaning and comprehensibility of the text. The concept of confirmability as

emphasized by Miles (2004) is the qualitative investigator's comparable concern to objectivity. I highlighted that the role of triangulation in promoting such confirmability in this context is to reduce the effect of investigator bias. I consulted a Shari'ah lawyer to review my research work and for the linguistics side, I requested a competent professor of Applied Linguistics to review my work and add suggestions for the development of my study.

Shortcomings of this study were considered (Cassel and Symon, 2012; Flick, 2009; Morgan, 1996). Since confirmability of the study was treated with substantiality, debriefing was also done to ensure that experts in the field are able to give their insights, comments and suggestions.

2.6 Ethical Considerations

On the ethical considerations which affect qualitative research, Fraenkel and Wallen, (2006) and Halai (2006) identified 5 ethical principles which include: informed and voluntary consent; confidentiality of information shared; anonymity of research participants; beneficence; and no harm to participants.

In this study, I am accountable on the confidentiality of the information shared from the corpora taken from Shari'ah circuit court offices within Region XII and ARMM. In order to obscure the characteristics of personalities involved in every civil case, I used codes to hide the real names of the person involved in the resolved civil cases for the easy identification of the case and linguistics features during the extraction of the data for textual analyses (Glesne & Peshkin, 1992; Lipson, 1994).

Finally, in this study, evaluation of the UMERC Professional Schools ethics committee of the University of Mindanao at Matina Campus, Davao City was done and I was provided with the compliance certificate for the study ethics protocol review with control no. A030-0211-2017 was signed by the authorized person last March 14, 2017.

3. Results

In this chapter are presented the results and discussion of the 50 Shari'ah Circuit Court Decisions (SCCDs), outlined according to the presentation of the analysis and interpretation of data in Chapter 3.

Likewise, findings are presented in sequence manner based on the research questions presented in Chapter 1.

3. Linguistic Features

In this study, forensic analysis of Shari'ah Circuit Court Decisions employing linguistic features is considered and is limited only to morphological analysis, syntax analysis, cohesive devices and over-all structure.

3.1 Morphological Features

The following texts are discussions of the morphological features found in the SCCDs. All the corpora underwent a morphological analysis by taking into consideration all the borrowed words, affixation, legalese terms and modals.

Presented below are the morphological features found in the Shari'ah Circuit Court Decisions. The borrowed or loaned words are almost Arabic terms which imply that Shari'ah circuit court decisions in the Philippines followed the ruling of Islamic law but were limited only in implementing or handling and resolving civil cases. There are terms that really need to be borrowed for intensive understanding of the Muslim *ummah* (followers of Islamic faith) because it has no exact translation to English. Affixation, legalese terms, and modals are very evident in all the corpora being analysed.

3.2 Syntactical Features

In the decisions analyzed, it has been observed that capitalization of letters are very evident in the Shari'ah circuit court decisions for emphasizes.

Excerpts from corpora are shown below:

*MR. XXX X. XXXXX, Petitioner and
MRS. XXXXXXXX X. XXXXX, Respondent. sccd1*

The main title in Corpus SCCD – 1:

**"DECISION
(CONFIRMATION OF MUTUAL DIVORCE)"**
This is a joint petition of the a husband and wife ...sccd1

"STATEMENT OF FACTS"
*MR. XXX X. XXXXX, a resident of XXX while
MRS. XXXX. XXXXX, is a resident.... sccd10*

Including the subtitles for the conditions under the Divorce Agreement are quoted hereunder:

"PARTITION AND DISTRIBUTION OF PROPERTIES UPON DIVORCE"
Each party has independently determined ... sccd2

"CUSTODY AND CARE OF THEIR CHILDREN"
The wife shall have the custody and care... sccd4

"JUDICIAL CONFIRMATION AND REGISTRATION OF DIVORCE"
The parties shall jointly file the necessary... sccd18

LAWS & JURISPRUDENCE RELIED UPON
The petitioners anchored, adhered and relied profound... sccd25

Including the closing remarks of the presiding which states that **"SO ORDERED"** is also written in upper case letters and highlighted. It denotes that these words play an important role in the decisions made.

While for the highlighted words are the **Supreme Court** and name of the **SHARI'A CIRCUIT COURT** located at the heading of the decision. Name of the petitioner and name of the respondent found at the upper right side corner of the decision while the case number "CIVIL CASE NO. **2014 - XXX**" is at the opposite side. The title of the decision, usually the word decision itself "**DECISION**" including the "STATEMENT OF FACTS", "**LAWS AND JURISPRUDENCE RELIED UPON**" and the word "**SO ORDERED**".

Italicized words are also evident in the corpora collected and analyzed such as in corpus SCCD-1, all the statement on the conditions under the Divorce Agreement are all written in italic words. Try to examine the excerpt below:

"PARTITION AND DISTRIBUTION OF PROPERTIES UPON DIVORCE"
Each party has independently determined to... sccd1

"CUSTODY AND CARE OF THEIR CHILDREN"
The wife shall have the custody and care of ...sccd1

"SUPPORT AND MAINTENANCE OF CHILDREN"
The husband shall provide support and... sccd1

The Glorious Qur-an verses and the teachings of the Allah's Messenger (pbuh) are all written in italic words as reflected in the excerpt below:

Holy Qur-an verses
"There is no blame on them if they arrange..." (4:128, Holy Qur-An) sccd20
"Do divorce women: Divorce them at their ... (Surah 65, verse 1, Holy Qur-an) sccd23
Hadith or Teachings of the Holy Prophet
"It is sinful enough for a person to fail to find for..." (Narrated by Jabir (R.A). sccd25

The verified petition filed by the petitioner is written also in italicized;

"From: Mr. XXXX-2
Green Village, XXX

To: Mrs. XXXX-2
83 Medicare XXX

SSS North XX

North XXX
Subject: Notice of Tala'q
(Divorce by repudiation) sccd2

Date: November
Peace and praised for ALLAH lord of mankind and the universe!
Please take notice of the fact that effective today I am setting
you at liberty from bondage of our marriage...

November .., Concep....., T..... for Quezon City
Philippines.

(SGD) Mr. XXXX-2
Taalik (declarant)" sccd2

All affidavit and laws stated were written using italic words for highlights and it denotes importance in the decisions' made. It was written that way to be recognized easily.

3.3 Cohesive Devices

Cohesive devices in legal texts or discourses plays a significant role, it introduces pragmatic possessions which represented how legal English is associated with extra linguistic components of meaning (Gocic, 2012).

In cohesive devices, corpora were analyzed centered on referencing, substitution, ellipsis, conjunction and lexical cohesion. These makes the elements of written legal discourse interrelated; an element is dependent on another one and cannot be interpreted without its relation to the element it presumes.

In the Shari'ah circuit court decisions it is controlled by words with replications, legalese terms or archaic words and phrases, technical terms, lengthy sentences, uncommon prepositional phrases, the use of nominalization, affixation and binomials expressions. Therefore it creates problem on the part of the ordinary people to comprehend or follow the content of the court decisions.

3.4 Over-all structure of Shari'ah Circuit Court Decisions

Based on the analysis of the Shari'ah Circuit Court Decisions, it comes out that the structure differs from the kind of decision, order, or judgment made by the presiding judges.

On the over-all structure of Shari'ah circuit court decision was composed of heading part, petitioner/s-respondent/s part, introductory part, decision's body, concluding statement, closing part, and final signature.

The SCCD contained heading:

Republic of the Philippines
Supreme Court
[Address of the Shari'ah Circuit Court] Shari'a
Judicial District
SHARI'A CIRCUIT COURT SCCDI

The heading part reflected the republic since it is under the Republic of the Philippines, the Supreme Court was highlighted for emphasizes that although Shari'ah is governed by the Qur'anic law it could not be able to decide cases on criminal matter but it is limited to civil cases particularly on divorce. The number of the circuit court and judicial district was also indicated as well as the location of the Shari'ah Judicial District and the Shari'ah Circuit Court. It was not disclose to protect its credibility and identity.

The next part of the decision is an obligatory part which is the petitioner/s-respondent/s part as presented below:

*In Re: Petition for Confirmation and
Registration of Pronounced
Talaq (Divorce)*

*MR. XXXX – I
Petitioner*

CIVIL CASE NO. 2014-XXX

-versus-

*MRS. XXXX – I
Respondent*

X-----X *sccd1*

The Shari'ah Circuit Court Decision has an introductory part, as shown below:

**DECISION
(CONFIRMATION OF MUTUAL DIVORCE)**

This is a joint petition of a husband and wife who... *sccd3*

EXECUTION OF JUDGMENT

Quoted hereunder is the dispositive portion of the above entitled case:

“WHEREFORE, in the light of foregoing, ...sccd49

It reflected that the petition filed was verified by the presiding judges. It contains the name of the petitioner, date it was filled and the SHCC civil case number.

The decision's body is the part that contains statement presenting the background story of the petitioner and respondent. The reason why they need to undergo divorce process and the written representation executed by the petitioner is also evident.

The next part is the concluding statement as presented below:

*In view of the forgoing, the petition for confirmation
of a notarized mutual divorce executed by and ...sccd1*

Closing part of the decision reveals as follows:

The Court hereby Ordered the City Civil Registrar... *sccd1*

It appears that upon verbal complaint of the wife, ...*sccd48*

I named the last part as the final signature containing the most important word of the presiding judge in the SCCD he made **"SO ORDERED"**. The date is also reflected and the address of the Shari'ah circuit court. These are not left blank in all the resolutions made because it is very significant. These include the date when the decision was crafted and signed by the authorized presiding judge. It was illustrated below:

SO ORDERED
XXXXXXXXXXXXXXXXXXXX, Philippines, March 30, 2015.

1

(SGD) HON. XXXXXXXXXXXX-

Presiding Judge *sccd1*

The other district Shari'ah circuit court format is shown below:

SO ORDERED.
July ..., 2016, ... City, Philippines.

(SGD) HON. XXXXXXXXXXXX-33
Presiding Judge *sccd33*

4. Discussion

Forensic linguistics plays a vital role in helping lawyers make legal documents accessible, readable and understandable to the laymen. The preceding statement is supported by Shuy (2010), who stressed that the people who could help in comprehending legal documents are the linguists, since they are known as language experts. They could be a bridge in helping ordinary people to understand and comprehend the content of the legal documents they are involved with. Hence, there is a need for forensic linguistic textual analysis of the Shari'ah Circuit Court Decisions to poster comprehensibility.

To illustrate this, let me discuss each language features in relation with other language features observed and studied in court decisions or legal documents and relate it on how these could be utilized to bring about the writer's end goal or objectivities.

Studies focusing on the analysis of legal documents have been gaining popularity among linguistic scholars, as seen in the studies of Coulthard and Johnson (2007), Stanojevic (2011), and Gocic (2012). One interesting legal document which could be subject for linguistic analysis is the judicial ruling or court decisions and in practical way, the stakeholders of legal cases are concerned with the content of court decisions (Hiltunen, 2012). Our understanding of legal rules is anchored on the very language in which those rules or legal documents are written.

4.1 Linguistic Features

Morphology. The discussion on this part is focused on the linguistic features of legal text in morphological analysis aspect. Cohen (2011) revealed that morphological analysis requires a bit more work upfront, a dictionary, and the intelligence to recognize features of the language; borrowed words, affixations (prefix, suffix, and circufix), legalese terms and modals.

In the Shari'ah circuit court decisions almost all borrowed words are Arabic, for it abides with Islamic law and this law was the prevailing law in Arab countries where the main language is Arabic. On the

affixation, majority of the words have suffixes. Legalese terms are also evident since Shari'ah utilizing English language in crafting the decisions they made. Modals play a significant role in requesting the concerned parties in abiding the decisions made.

Shari'ah circuit courts in the Philippines use English as medium of legal text (decisions). Ambiguous words are formed and evident in the analyzed court decisions (Pala, Pavel, & Pavel, 2007) and for each word formed in the source text, there is morphological information in the form of morphological tags where it is acquired.

Syntax. In legal text, the grammar and syntax can become so complex that the reader has to work hard to make sense of how the paragraphs fit together (Christensen, 2015). As Danet (1985) claims, "syntactic features are probably more distinctive of legal English than are lexical ones, and certainly account for more of the difficulties of lay persons in comprehending it".

Cohesive Devices. In the ways coherence and cohesion are formed in written legal discourse, language plays a highly important role in law and law largely depends on language. The ways in which coherence and cohesion are formed in written legal discourse are explained, as well as the ways in which cohesive devices in legal texts contribute to coherence.

Most researchers assert that cohesion has a significant impact on the comprehensibility of texts. Blanpain (2008) accentuated that coherence signifies the fundamental systemic connections that make the text unified rather than being in a sequence of an independent sentence.

On the other hand, one type of anaphoric reference, which aims to refer back to something previously mentioned or something that precedes the reference, is used in legal discourse as a prominent feature. It is the archaic use of *said*, *such*, and *same*, which repeatedly transpire in legal texts as determiners as well as in the analyzed court decisions. Yet proponents of writing in plain language think that the use of *said*, *such*, and *same* cannot be justified in legal contexts.

The word *said* is derived from *aforesaid* and this is supported by Solan (1993) who stated that its peculiar aim is to restrict the denotation by narrowing the class of possible referents to a noun phrase.

Conjunctions set up a relationship between two clauses or sentence in a discourse. It can be implicit and deduced by means of text interpretation and Damova (2007) revealed that the most cohesive conjunctions are *therefore* and *so*, while the least cohesive one is *and*. The possibility of word ambiguity is inherent in conjunctions *and* and *or*. There have been cases in which *and* was not conjunctive, and *or* was not disjunctive. Thus, since courts' function is to interpret laws, are obliged to interpret the language of the laws.

Conjunction perform as a cohesive connection between clauses or sections of text, in such approach as to exhibit a meaningful arrangement between them, though conjunctive relations are not tied to any accurate sequence in the expression.

Substitution and ellipsis operates as a linguistic link at the lexico-grammatical level and they are used when a writer desires to circumvent the repetition of a lexical term and draw on one of the grammatical possessions of the language to substitute the item.

In substitution there are three wide-ranging methods of substituting in a sentence are nominal, verbal, and clausal. In nominal substitution, the utmost common substitute is the verb "do" which is occasionally used in conjunction with "so" as in "*do so*" while in clausal substitution, an entire clause is substituted.

It is an illustration of one word substituted by another, more common one, such as the pronoun *one*, to disdain repetition. It is considered as unusual in legal discourse, which ought to be clear, complete and unambiguous.

Ellipsis on the other hand is known as zero substitution; in this, the omission of elements is generally necessary to perform with the grammar in the sentence in which the writer's assumptions are obvious from the context and therefore need not be elevated.

Context plays a crucial role in interpreting elliptic utterances, ellipsis occurs when the syntactic structure of an utterance is omitted in a text. Certain elements that have been previously mentioned or understood are deleted and this can also affect a few compound lexemes.

Halliday and Hassan (1976) accentuated that ellipsis is context-dependent since the interpretation of elliptical fragments depends on what the context provides. The interpretation can be recovered from the following elements of the context; triggering a bare noun phrase, a presented subject plus bare auxiliary, or a sequence of such fragments.

In the analyzed corpora, no, ellipsis was found in the Shariah circuit court decisions. Since precision is one of the principal objectives of legal English writing, there are no elliptic sentence in it.

Lexical cohesion ascertains the semantic associations of words that create a text. It is therefore, concerned with relations among lexical items and cases where the cohesive effect is accomplished by the selection of lexis. There are the following cohesive relations: repetition known as reiteration, systematic semantic relations commonly known as synonymy and non-systematic semantic relations familiarly known as collocation.

Repetition is the identical recurrence of a preceding lexical item which established a cohesive tie between lexical items as a referential link. A lexical item coheres with a preceding occurrence.

Synonymy is the distinctiveness of senses of two or more lexical items. In this case, lexical cohesion, results from the choice of a lexical item that is synonymous with a preceding one as explained by Halliday and Hasan (1976). In semantics, it is significant that the synonyms have the same or nearly the same sense while they may or may not have the same referent.

Collocation, is the predisposition of at least two lexical items to co-occur in a language, it can function as a source of lexical cohesion since collocational relationship is one of the features on which we shape our opportunities of what is to come next (Halliday & Hasan, 1976).

Since the legal system of a nation is reflected as an essential aspect in the improvement of the society and politics, consequently there is a prerequisite to comprehend the language of law in terms of cohesion.

The last concern of this research is determining the Shari'ah circuit court decisions' over-all structure. The structure used by the judges should adhere to the characteristics of legal texts by engaging in nominal clauses which is a structure used frequently in legal documents or legal texts.

Legal texts and documents are unique in both form and in structure; in order to comprehend court texts knowledge of legal terminology and an understanding of case structure, court decisions and legal theories is required. With judicial opinion, the text was confusing, the structure was mystifying and the terms were unfamiliar.

A layman or new reader could easily become confused by the unusual structure of a judicial opinion, order, decision, and judgment. Therefore, this analysis was done in order to help the people concerned and those who could be part in dealing with legal documents. Therefore, comprehension and appreciation of court decisions proceed more smoothly if the reader or the involved persons in the resolved case (divorce decisions) understands the organizational structure of the legal documents of Shari'ah circuit court in the Philippines.

4.2 Implication for Educational Practice

The implications I have drawn from the discussion presented above concerns forensic linguistics, which is a subfield of applied linguistics that deals with the study of legal documents and the natural surroundings of legal languages; known as the interconnection between language and law.

Apparently, the linguistic features that were highlighted in my corpora contributed to the difficulties in understanding the content of the decisions. There are terms, which are not familiar to me, which I needed to contextualize for better understanding the content of the decisions.

Nevertheless, these words could not outnumber other constituents in the court decisions with more focused reading and applying use of context. Law practitioners and Shari'ah lawyers should provide explanation of the terms being used in the decisions for better comprehension of the text.

In Shari'ah schools, Shari'ah practitioners/lawyers and language teachers may opt to introduce words that are understandable to replace the use of ambiguous law terms with specific, distinct and formulaic meanings that are commonly understood in their own field (Crystal & Davy, 2013).

In terms of syntax, what is noteworthy in my research is how words, clauses, and phrases are arranged to make up the entire sentences with unusual length. Another issue is the function and rule of capitalization, italicization, and highlighted words.

My findings may inform the readers of the court decisions on which syntactic elements can contribute to the complexity of texts and how they are used for a particular function. In this sense, English language teachers may also take part in drilling students to simplify longer sentences in order to facilitate better understanding and comprehension. If students are trained and develop their skills, reading long legal texts may no longer be difficult and confusing.

Cohesive devices include referencing, ellipsis/substitution, conjunctions, and lexical cohesion which provides coherence and better understanding of the texts once analyzed. The structure of the Shari'ah circuit court decisions includes: headings, introductory part, obligatory part, decision's body or the argument of the parties, concluding statements or the analysis of the presiding judge, the closing part of the decision and final signature. The results show that there are significant parts in the decisions, when some parts are missing it will not serve the purpose and it could not be called as court decisions or court judgment.

Analyzing court decisions falls under this subfield because it is concerned with interpreting presiding judges' decisions. Other court decisions corpora can be a great source of comprehensive analysis for applied linguistics students to perform and pursue research endeavors like this. By doing so, future applied linguistics student researchers could help the laymen understand or comprehend the complexities embedded in the court decisions that should be furnish for the involve persons and for those who would wish to interpret and understand those legal court decisions.

Furthermore, student researchers could make use of other linguistic features in order to elicit the hidden meanings of these court decisions. Finally, ordinary people could benefit from this research for they could comprehend and appreciate every court decisions they receive.

4.3 Recommendations for Future Research

This research work focused on the textual analysis of fifty Shari'ah circuit court decisions from Shari'ah circuit courts in Region XII and ARMM. However, this research does not represent all the Shariah circuit courts in Mindanao. Hence, future researchers could conduct similar studies but take into consideration some other courts to acquire court decisions. In doing so, it could provide a wide range of corpora coming from several Shari'ah circuit courts and at the same, determine linguistic features of court decisions for greater comprehensibility.

4.4 Concluding Remarks

Language and law are intertwined and there are many ways of expressing the intended meaning and interpretation of the legal documents. However, some individual have difficulty in comprehending those legal texts.

In this study which describes the linguistic features, cohesive devices, and over-all structures of fifty Shari'ah circuit court decisions. I learned that analyzing court decisions especially the Shari'ah circuit court decisions is of great help to me as a Muslim woman. I discovered valuable ideas in the decisions I analyzed and with the use of forensic linguistics (textual) analysis employing morphological, syntactic, cohesion and coherence, and determining overall structure, I personally comprehended the decisions I analyzed.

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