A Contrastive Study of the Speech Act of Marriage in English and Arabic

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ABSTRACT

A growing area of interest in pragmatics is to contrast speech acts in different cultures. This study is a contrastive pragmatic analysis of the speech act of marriage in English and Arabic. It is hypothesized that the speech act of marriage underlies some structural and pragmatic differences in the two languages. The general aim is to find out the similarities and differences of the speech act of marriage in English and Arabic. To achieve this aim , a contrastive analysis of the felicity conditions that govern the accomplishment of speech acts is conducted .For the purpose of the study, Austin's (1962) felicity conditions are employed .It also studies the way this act is realized in both languages . The study provides an evidence that there is no-one-to one correspondence between the two languages that the speech act of marriage is commonly realized in the past tense (referring to present tense) in Arabic while it is realized in the present tense in English. It is found that most of Austin's felicity conditions are found in Arabic. Moreover, due to the variation of religious and cultural backgrounds, there are some differences in the preparatory and executive felicity conditions related to the speech act of marriage in English and Arabic . Some of these conditions are studied in Arabic under the heading ' šurutu siħħatu at-takliif '(conditions of the validity of obligation) . In addition, it is concluded that Arab rhetoricians and jurisprudents have made unprecedented attempts of speech act theory.

Key to Arabic Phonetic Symbols

Arabic Consonants

Phonetic Symbol	Transcription	Glossary	Phonetic Symbol	Transcription	Glossary
[?]	[?azraq]	blue	[z]	[zamiil]	Colleague
[b]	[baab]	door	[x]	[xaadim]	Servant
[t]	[tiin]	figs	[h]	[hum]	They
[ṭ]	[ṭib]	medicine	[ħ]	[ħibr]	Ink
[d]	[dar]	house	[9]	[9am]	Uncle
[ḍ]	[ḍarb]	hitting	[ġ]	[ġadan]	Tomorrow
[k]	[kabiir]	large	[j]	[jadiid]	New
[q]	[qamar]	moon	[m]	[maa']	Water
[f]	[faqr]	poverty	[n]	[naar]	Fire
[Ө]	[Өawb]	a dress	[w]	[walad]	boy
[ð]	[ðanb]	guilt	[đ]	[đalaam]	darkness
[s]	[sayf]	sword	[y]	[yatiim]	orphan
[ṣ]	[ṣabr]	patience	[l]	[layl]	night
[š]	[šams]	sun	[r]	[rabii9]	spring
Arabic vowels					
[u]	[?usra]	family			
[uu]	[nuquud]	money			

[a]	[man]	who…?			
[aa]	[baarid]	cold			
[i]	[min]	from			
[ii]	[?aniiq]	tidy			
Arabic Diphthongs					
[aw]	[ḍaw?]	light			
[ay]	[bayt]	home			

1.Introduction

The study of pragmatics becomes an alternative to truth-conditional semantics whose aim is directed to the study of language in terms of showing the linguistic propositions that are liable to be true or false. Being currently the most important published part of pragmatics, speech act theory (henceforth SAT) concentrates on the meaning of language in terms of the process of communication.

The central insight of SAT is that we use language to do things. According to this view, the speaker performs some action at the moment of saying some utterances. Consider the following utterances presented by Austin(1962:5):

(1) 'I do [sic]'(sc. take this woman to be my lawful wedded wife) -as uttered in the course of marriage ceremony[1].

(2)'I name this ship the *Queen Elizabeth*.'-as uttered when smashing a bottle against the stem.

(3) 'I bequeath my watch to my brother.'-as occurring in a will.

By saying (1),(2), and (3), the speaker is not stating some facts about the world rather, he is performing the acts of marrying ,naming ,and bequeathing respectively .In Arabic, similar speech acts can also be issued to perform some actions. Consider:

 (4)[zawwajtuka nafsi]-as uttered in a marriage ceremony.

  I marry my self to you.[2]

 (5) [wahabtu Өarwati li ?ibni Ahmed]-as occuring in a will.

  I bequeath my fortune to my son Ahmed.

 (6) [bi9tuka addara]-as uttered in a bargain.

  I sell you the house.

By saying (4),(5), and (6) , the speaker is performing the speech acts of marrying , bequeathing and selling respectively. Yet, as

declarations speech acts, the issuance of utterances(1-6) is not sufficient that their accomplishment entails the existence of certain conditions in the contexts they appear in. So, each of the above utterances can only appropriately and successfully be uttered by an authorized person in a specific situation .

An examination of both English and Arabic examples above proves that though they have some similarities, they are realized differently in their structure. In addition, both of them require certain necessary conditions for their performance, i.e. felicity

conditions. Kalisz (1993: 107) states that various speech acts have different linguistic realizations in different languages and to claim these differences it is necessary to show that speech acts have different felicity conditions across languages. Contrastive pragmatics has relied upon statements of universal principles in order to elucidate different realizations of languages (Johnson and Johnson, 1999: 87).

 This study is an attempt to investigate the speech act of marriage(henceforth SAM) in English and Arabic with the aim of elucidating the structural and pragmatic features by which this speech act is realized. It is also designed to address the problem of discovering how successfully that speech act has been performed in the two different cultures.

It is hypothesized that the SAM underlies some structural and pragmatic differences in English and Arabic. The present study is confined to investigating the contrastive structural and pragmatic aspects of similarity and differences of the SAM. So, other, direct and indirect, speech acts will be excluded from the analysis. The study is limited to the study of the speech act found in civil marriage. No reference will be made to that found in religious contracts of marriage.

Searle's (1975) classification of speech acts will be adopted because it is a more refined and widely accepted one . Moreover, for the purpose of this study, Austin's (1962) felicity conditions will be applied to determine the

appropriateness of the SAM in both languages. The adoption of this model is dictated by the fact that Austin principally proposes conditions limited only to those that govern the happy production of ritual performatives themselves that the SAM best represents.

To the best of the researcher's knowledge no study has been conducted to tackle this subject. It is hoped that the results of this study will provide a significant contribution to research as far as the pragmatic investigation of SAT is concerned.

In the following sections, a survey will be devoted to exploring the SAT in English and Arabic to set up a background to identify the features of forms and functions of speech acts. The concentration will be mainly made on Austin's (1962) and Searle's (1969) as well as the works of other scholars.

2. Speech Act Theory

2.1 History and Introduction

Robins (1997: 1) states that the ideological and methodological roots of SAT in western thought dates back to the pre-Socratic philosophers and the old Testament.

The term 'speech act' has originally come as a translation of the German term *spreckakt* of Buhler 1934 (Lyons, 1977: 726). SAT is closely linked to pragmatics because of the Greek origin of *pragma* which refers to act, activity, deed and affair (Wales, 1989: 368).

The seeds of SAT are found in the British tradition of philosophy about language which, in the course of time, comes to be called so later (Mey, 1993:   109). Malmkjar (2002:486) adds that the SAT is developed by the Oxford philosopher,Austin, in the 1930s.The views which underlie his theory are published in *Proceedings of the Aristotelian Society* in 1946. In each of the years of 1952-4 ,

Austin delivered lectures at Oxford under the title "Words and Deeds". In 1955, he delivers the William James Lectures at Harvard

University which are published later posthumously as *How to Do Thing with Words* (1962) which has an enormous impact on linguistic philosophy and thereby on linguistics (Austin, 1962: v).

Another developer of SAT is the American philosopher R. Searle who has studied under Austin at Oxford in the fifties has greatly developed the theory. The major motivation leading to discover the SAT is that the analysis of language is limited to truth conditions, i.e. to statements that can be either true or false neglecting language as a mode of action. In the illustration of theories, philosophers concentrate on one class of sentences, the so-called declaratives [3]. According to them, a declarative sentence must contain a proposition about the world. In the case of a sentence such as :

(7)   It is cold outside

We can test its truth or falsity if we go outside and check whereas in sentences such as :

(8) Happy birthday.

(9)   Good Luck.

There are no propositions but words that do things .In brief, they are speech acts (Mey, 1993: 109-110) .

Austin (1962) calls utterances of the first group 'constatives' while he calls those of the second group 'performatives'. Subsequent modifications to the theory have been made by Searle (1975), Bach and Harnish (1979), Allan (1986), and others

Searle (1969: 16) emphasizes the importance of speech act in communication when he says "The unit of linguistic communication is not, as has generally been supposed, the symbol, word or sentence… but rather the production or issuance of the symbol or word or sentence in the performance of the speech act."

2.2 Performarives

In an attempt to classify utterances, Austin (1962: 3-6) presents two different terms: constatives and performatives. He introduces 'constatives' to describe true or false statements and 'performatives' to describe those by which we perform action. The essential idea underlying performatives, according to Austin (ibid: 6), is that "issuing of the utterance is the performing of an action." Consider the following utterances:

(10) I confer upon you the honourable degree of Bachelor of Arts.

(11)You are fired.

The uttering of the above sentences is, or is part of , the 'doing' of action. Crystal (1987: 120) mentions that the utterance of performatives immediately conveys a new psychological and social reality. So, in (10), an act of conferring takes place when the president of a university announces that and not before it. Also, in (11) , an act of firing takes place when an authorized boss issues such an order.

Austin (1962: 69) recognizes two different types of perfomatives: explicit and implicit performaitves. The following sentences show these types respectively:

(12)   I'll be there at two o'clock.

(13)   I promise to be there at two o'clock .

Lyons (1977: 728) mentions that (12) is a primary performative as it is exploited to indicate a speech act of *promise* and that no other interpretation may be acceptable. On the other hand, sentence (13) is seen as an explicit

performative as it contains the performative verb *promise* in the simple present indicative with the first person subject. In spite of the fact that both sentences (12) and (13) are used to perform the same speech act (of promising), the second seems to be more specific in meaning than the first.

 Attempting to differentiate between performatives and speech acts, Palmer (1981: 162-3) argues that performatives are formally marked and easily identifiable whereas speech acts are not as in(14) and (15) respectively.

(14) I promise to come tomorrow. (performative)

(15) There is a bull in the garden. (speech act)

Cruse (2006: 167-168) mentions that there are three basic types of speech acts which are recognized in the production of language:(1) locutionary act:the production of an utterance;(2) illocutionary act: an act of producing a particular effect by saying something and (3) perlocutionary act: a speech act which depends on the production of a specific effect.

2.3 Lexical and Syntactic Criteria for Performatives in English

Perfromatives can be realized by some lexical and syntactic formula. Austin (1962: 5-57) and Allan (1986: 167-174) suggest the following markers for performatives:

1.The crucial constituent of an explicitly performative clause is the peroformative verb because the verb effectively spells out the illocutionary force or the performative clause, e.g. I *promise*.

2. The adverb 'hereby' can accompany a perfomative verb. This adverb will mark the verb as performative provided it is used to mean "in uttering this performative". For example (16) can be glossed as (17):

(16)I hereby charge you with attempting to bribe a policeman.

(17) In uttering the words 'I charge you', I charge you with attempting to bribe a policeman.

Whereas in (18):

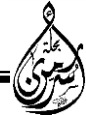(18)I could hereby charge you with attempting to bribe a policeman.

the adverb 'hereby' means 'using this' and refers to something in the context, e.g. the bribe. Thus, (18) is not performative because it does not have the same sense used in (16).

3. Most of the performative clauses have had a first person singular subject *I* , but *we* makes just as good as it for a performative clause, e.g.

    (19) we, the undersigned, promise to pay the balance of the amount   within ten days,

Austin (1962: 57) offers the following example with a second person subject:

(20) You are here by authorized to pay ….

4. The tense of an explicit performative clause has to be present (= nonpast) and nonperfect contrast (21) with (22) :

 (21)I promise to take Max to movie tomorrow.

  (22).a. I promised to take Max to movie tomorrow.

       b. I have promised to take Max to movie tomorrow.

In (21) , the speaker makes a promise whereas in (22.a) and (22.b), he reports that a promise is made. Though the effect of the verb in the performative clause will normally be simple, it is possible for some performatives to occur in the progressive, as in:

        (23) I am hereby promising you not to scatter chips on the carpet.

which has the illocutionary point of a promise because if, after uttering it, the speaker subsequently scatters chips on the carpet, he can rightly be accused of breaking his promise.

5. The adverb 'hereby' meaning "in uttering this performative must be placed before the negative as in (24), and not between it and the verb as in (25) because the negative performative describes an act of not doing:

        (24) I hereby don't grant your request for more funds.

        (25) I do hereby not grant your request for more funds.

6. A model verb should be used in its 'root' meaning and 'realis'. i.e. designates an actual event as in (26).

        (26) I will hereby promise to visit you next time I'm in town.

So, a promise must have been taken that it designates an outgoing act and can be glossed:

 (27) I will with these words make the promise to visit you next time I am in town.

On the other hand, in (28) it is notable that the 'hereby' cannot be inserted between will and promise, which confirms that 'promise' is not a performative' verb here because the modal (will) is used in its 'epistemic' sense and is 'irrealis' i.e. designates an unactualized event:

 (28) Tomorrow when I see her, I will promise to visit you next time I'm in town.

 7. Explicit performatives occur only in the indicative mood; though they can take either emphatic stress or emphatic (do). For example, (29) makes an emphatic promise.

        (29) I do not promise to come more often,

 but (30) does not make a promise because no performative can occur in the subjunctive mood.

        (30) Should I promise to leave early, will you come to the party with me?

2.4. Felicity Conditions

Felicity conditions are requisite conditions for the performance of an illocutionary act. According to Crystal (2003:178-179), felicity conditions refer to "a term used in the theory of speech acts to refer to the criteria which must be satisfied if the speech act is to achieve its purpose." Showing the effect of culture on felicity conditions, Levinson (1983:229-230) adds that some acts are culture-specific in that they are

possible in one language community but not in another. Consider the following utterance:

(31) I divorce you; I divorce you; I divorce you.

This utterance can only be effective in Muslim countries.

Saeed (2009: 231-32) stresses the importance of context in governing the issuance of some speech acts in accordance with specific social conventions. So, the act of sentencing prisoner or pronouncing a couple married, etc. can only be performed by the relevant people in the right situations.

Austin (1962: 14-15) specifies felicity conditions which are required for the accomplishment of performative acts as follows:

(A.1) There must exist an accepted conventional procedure having a certain conventional effect that procedure to include

the uttering of certain words by certain persons in certain circumstances, and further,

(A.2) the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.

(B.1) The Procedure must be executed by all participants both correctly and

(B.2) completely

(Γ.1) Where, as often, the procedure is designed for us by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves, and further

(Γ.2) must actually so conduct themselves subsequently.

Allan (1986: 182) identifies a categorization of Austin's felicity conditions into four types: (A.1-2) preparatory conditions, (B.1-2) executive conditions, (Γ.1) sincerity condition, and (Γ.2) a fulfillment condition.

Violation of any of these conditions will render the speech act infelicitous. In Austin's words (1962: 16) if any act fails to conform to the required conventions, it would be described as *misfire* and if it is carried out insincerely by the participants, it would be described as *abuse*.

As far as felicity conditions are concerned in Arabic, according to Al-Xalifa(2007:379),some of them have been dealt with within ?usuul ul-Fiqh (fundamentals of jurisprudence) especially in the sections of al-?amr ?aš-Šara9i (judicial command) and its pillars such as: ?al-ħakim (judge), maħkumin fih (case under judgement), maħkumin 9alyh(one subject to judgement),and ahliyatu al-ħakim (judge competency).These are called šurutu siħħatu at-takliif(conditions of the validity of obligation) [4].

2.5. Declarations Speech Acts

Searle (1979 [1975]:16-18) presents a list of the basic illocutionary acts. They are: assertives, directives, commissives, expressives and declarations. Searle's declarations correspond to Austin's (1962) verdictives, Bach and Harnishes' (1979) effectives and verdictives speech acts and forms of contract (?alfazu ul-?uqood) in Arabic rhetoric theory (Al-Xalifa, 2007: 467). A defining characteristic of declarations is that the successful of one of its members brings about a

correspondence between the propositional content and reality, e.g. resign, christen, appoint somebody, declare war (Searle, 1979[1975]:16-17).

Declarations are exceptional in more than one way. First, they are a direct means to a goal. Second, they are sacramental. So, to officially opening a bridge the right words must be said, the speech act must be public and at the right place and time for a bridge-opening. In this regard, a declaration is an outward and audible sign that an abstract (psychological, social or spiritual) action is being performed. Third, it is basically social. Thus, when, for example in formally opening a bridge, one makes it open in the sense that it is henceforth permissible to use the bridge. Fourth, the linguistic behaviour is often paralleled by an extra linguistic one in performing declarations, i.e. non-verbal declarations accompany the linguistic declaration like the rising of umpires' finger, or the bank of an auctioneer's gavel (Leech, 1983: 179-180). Searle (1979 [1975]: 18-19) notices that declarations is a very peculiar category of speech acts in the sense of 'action –performing' in which the direction of fit is both words-to-world and world-to-words. Because of this

feature, declarations have no sincerity conditions. The only way in which they can fail is through the failure of one of the accompany conditions.

What is special about declarations is that they can cause a change in the world over and above the fact that they have been carried out and they standardly encode such changes (Cruse, 2000: 343).

Due to the fact that declarations are part of a conventional procedure, their linguistic form is predetermined (Coulthard, 1977: 14-15). Palmer (1981: 163) says that declarations are distinguished by two characteristics: (1) they are part of conventional or ritual behaviour and (2) the performative verb is an essential element and cannot be omitted as in:

(32) I bet you six pence it will rain tomorrow.

It is clear that the deletion of the performative verb in (32) will turn it meaningless

An important feature of declarations is that the utterance of some declarations such as marriage and bet represents an audible evidence to an inward and spiritual act (Austin,1962:10).

3.Speech Act in Arabic
3.1 History and Introduction

Arabic rhetoric theory is found many centuries before western philosophers have originated the theory of speech acts in English. In this regard, Ţabl (2004: 7) mentions that Arabic rhetoric is first taxonomized by As-Sakaki into three main branches: 9ilm al-Ma9ani (Literally: the science of meanings), 9ilm al-Bayan (the sequence of eloquence), and 9ilm al-Badii' (the science of rhetoric).

Arab scholars realized the concept of speech acts theory in all its dimensions that they have a complete theory. It seems difficult to determine a specific figure as an innovator of speech act theory in Arabic. It is assumed that it has been introduced first by the scientist of al-Usuul as they are considered linguists and logicians and most of them work in the field of judgment with their interest in al-Fiqh and the

interpretation of The Glorious Qur'an and The Prophetic Hadeeth. Arab linguists have introduced the concept of speech acts within a general theory of balaġa (rhetoric) rather than pragmatics along time before western philosophers such as Wittigenstein (1953), Austin (1962) , Searle (1969) and Grice (1975) (Al-Xalifah, 2007: 225).

Arabic rhetoric is a semantically and pragmatically based discipline. In this regard, As-Sakaki (cited in Hussein,2005:75) points out that Arabic rhetoric deals with two kinds of meaning: (1) the meaning of sentence constituents (semantics) and (2) the speaker's intended meaning (pragmatics).

The innovation that utterances are of two types: Al-Xabar (constative) and Al-Inšaa' (performative) is first made by the scientists of Usuul and logicians. The first concise reference to those notions appears in the books of balaġa (rhetoric) in the 8th century A.H. Moreover, the first figure who utilizes these notions is not known yet. (Al-Xalifa, 2007: 234).

According to Fayyuud (1998: 441) Al-Xabar (constative)[5] refers to an utterance that is verified by being true or false by itself while an utterance which is not likely to be true or false in itself is often referred to as Al-Inšaa' (performative).

3.2 Al-Inšaa (Performative)

Abbas (1989:147) states that there are two kinds of Al-Inšaa' (performative) of Arabic speech act, which are: Al-Inšaa' Aṭ-Ṭalabi (directive performative) and Al-Inšaa' Ġayr Aṭ-Ṭalabi (non-directive performative)[6].

Al-Inšaa' Aṭ-Ṭalabi requires the fulfulment of action not at hand the time enuciating an utterance. Al-Inšaa Ġayr At-Talabi does not require the fulfulment of an action. The former is sub-divided into five speech acts: command, prohibition, optative, question, question and vocative. The latter is sub-categorized into five speech acts: oath, praise, and verification, invocation, contract forms, and exclamation. Here are some examples that represent these acts :

(3٣) Contract forms:

(قبلتُ هذا الزواج)

(34) Oath:

((وَتَاللَّهِ لأَكِيدَنَّ أَصْنَامَكُمْ))   (الأنبياء:٥٧)

(35) Praise and vilification:

((وَلَا تَنَابَزُوا بِالأَلْقَابِ بِئْسَ الِاسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ)) (الحجرات: ١١)

(36) Invocation:

((فَعَسَى اللَّهُ أَنْ يَأْتِيَ بِالْفَتْحِ أَوْ أَمْرٍ مِنْ عِنْدِهِ))   (المائدة: ٥٢)

(37)   Exclamation:

((أَسْمِعْ بِهِمْ وَأَبْصِرْ يَوْمَ يَأْتُونَنَا))   (مريم: ٣٨)
                                (Atiiq ,1970:75-79)

3.3 Lexical and Syntactic Criterion for Performatives in Arabic

Wright (2002,2:1), Hassan (1989:147-8), and Al-Xalifa (2007: 51-54) mention some lexical and syntactic criteria for recognizing perfomatives in Arabic as follows:

1. Some performatives in Arabic such as declarations can be in the present or past tense, consider the following sentences:

(38) [?uhaððiruka]

I warn you.

(39) [sammaytuka Aliun]

I name you Ali.

2. In Arabic performatives , the word [ha?anaða]$^{(7)}$ can be used to test the performativeness of some utterances . It can be inserted in those sentences that are in the present tense as in (40), whereas if it is inserted in the performatives which use the past tense, the performative meaning will be lost as in (41). Consider:

(40) [ha?anaða ?nsahuka biltizami şamti].

I hereby advice you to keep quiet.

* (41) [ha?anaða bi9tuka al a?rdha]

I hereby sold you the land.

3. There are some performatives (Al-Inšaa') which can take the same form of constatives (Al-Xabar) as in *I swear*, which can be used to perform oath as in(42), and to inform that a speaker swears as an answer to the question 'What do you do if they accuse you of lying?' as in (43):

(42) [?uqsim].

I swear.

(43) [?uqsimu bi?anni fa9altu ul-matluub.]

I swear that I did what is required.

4. Passive voice can be used in some official and judicial context as in   (44) below:

(44) [Turfa9 ul-jalsatu ħattaa iš9arun ?aaxar]

The session is adjourned until further notice.

5. Performatives may disguise in the form of Al-xabar (constative). In this case, the object or the actual addressee will be the subject of the sentence as in (45) which means (46):

(45) [?uwalli as-sayidu wazirus sina?ah]

I appoint him minister of industry.

(46) [yatawalla as-sayidu wazirus sina?ati mahaama wazirul adl]

Minster of industry takes the duties of minister of justice.

6. Past tense (referring to present tense) construction is commonly used in ritual and conventionalized performatives which include alfazul ?uqud (forms of contract) because it refers to an intention in the present time as in:

(47) [bi?tuka ddara].

I sell you the house.

7. In Arabic, some sentences which have no verb are used. Thus, it may be a nominal sentence composed of subject and predicate as in:

(48) [?anta ħur]

You are (set) free.

8. The subject of performatives may be obligatory or optional. If it is obligatory, it will be the first person singular signalled by the prefix [?u] annexed to the

performative verb as in [ʔuqsimu] (I swear) whereas if the tense is past, the subject will be the suffix [tu] like [šhakartu] (I thank).

The Arabic first person singular [ʔanaa] 'I'can appear with both tenses, but it can be optionally deleted as in:

(49) [(ʔanaa) ʔafawtu ʔanka]

I pardon you.

4. The Speech Act of Marriage in English

The SAM is listed under the category of Searle's(1969) declarations. On the syntactic level,it is realized, according to Thomas(1995: 39), in the following way:

(50).a. Vicar:Will you take this woman…?

b.Groom: I will.

The employment of the performative verb is highlighted by the use of the verb 'will'.Quirk and Greenbaum (1973:55) mention that one of its uses is to show willingness which is of fundamental importance in creating contracts.

On the pragmatic level,there are certain conditions which must be satisfied if the performative-act is to be fulfilled.The SAM may or may not be felicitious depending on its appropriateness to felicity conditions. Austin's (1962:14-15) felicity conditions will be applied. With respect to condition (A-1), in a given culture, there will probably be a conventional procedure for a couple to get married . This involves a man and a woman who are not debarred from marrying for any reason, presenting themselves before an authorized person (minister of religion or registrar) in an authorized place (place of worship or registry office),at an approved time (certain days or times of day are excluded) accompanied by a minimum of two witnesses. They must go through a special form of marriage. The marriage is not legal unless certain declarations are made and unless certain words have been spoken (Thomas, 1995: 37).Allan (1986: 183) adds that only a defined member of community may felicitously effect a marriage rite only with addressees who are a man and a woman (over the age of 16 or thereabouts) and only if neither is concurrently married (in most Anglophone communities).

Accordingly, if one or more of above conditions has been violated, the SAM is said to be misfired as when the couple present themselves before an   unauthorized person, they get one witness, the marriage ceremony is held in a time rather than the specified one, or they may not go through a special form of marriage.

Condition (A-2) concentrates on the participants of the speech act that takes place .According to Coulthard (1977:12), the word must be uttered by the appropriate person. Any one may read the marriage service as well as any parson, but the ceremony is still invalid .So, in a marriage ceremony, it would ordinarily be infelicitous for unauthorized person to utter ' I pronounce you man and woman ': the resulting performative would be 'null and void'.

Condition(B-1) necessitates the execution of the procedure correctly. The act of marriage is vitiated when an appropriate authority pronounces a couple man and wife but, uses the wrong names (Sadock, 2006: 53). At a marriage ceremony, the words have to be the precise ones laid down. When a vicar asks the groom, 'Do you take this woman…', 'yes' or any other approximation will not do. The precise words have
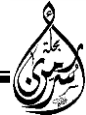
to be used (Coulthard, 1977:13). So if the groom uses different words rather than the recommended ones, the act will be misfired.

Regarding condition (B-2), the procedure must be executed completely. Part of the procedure is that the person conducting the wedding and the couple getting married must sign the register before witnesses (Thomas, 1995:39). Problems that lead to cause the act to misfire may be nonverbal. The ceremony has a fixed point for the ring to be placed on the finger-failure to produce the ring or placing the ring on the finger at a different point in the ceremony would again cause the act to misfire(Coulthard, 1977: 13). So, if the couple forget signing the register before the witnesses or fail to produce or place the ring on the finger at a fixed time in the ceremony , their marriage will be illegal because the ceremony is not carried out completely .

Condition (T-1) emphasizes the participants intention. In the case of a marriage where one party has been forced to marry under duress, the wedding is not legally binding . A more tendentious case would be when one party claims (sometimes years after the marriage took place) to have had 'mental' reservations(Thomas,1995:39).So, the marriage will be turned to be null if one claims that s/he has been forced to marry or s/he has mental reservation after the marriage took place.

Condition (T-2) lays heavily emphasis on the participants' subsequent conduct. In the case of a marriage, it would be that the marriage must be consummated. If the condition is not met, the marriage is annulled. This may happen because of a deliberate act on someone's part (as in the case of

bigamy) or because of a situation of which no one was aware (e.g. a man unwittingly marrying has half-sister). In such cases, the marriage is one which null and never valid (Thomas,ibid: 39-53).

5.The Speech Act of Marriage in Arabic

The SAM in Arabic falls within ?lfaaz ul9uquud(forms of contract) which belongs to Al-Inšaa Ġayr Aṭ-Ṭalabi (non-directive performative).It has some syntactic and pragmatic features .This speech act is realized in a certain form .Delivering Al-?ijab (obligation) upon the groom or his agent, the girl or her authorized agent says:

(51).a.[zawwajtuka nafsi] or

     I marry myself to you.

  b.[zawwajtuka muwakkilati …]

      I marry my client …to you.

Showing Al-Qubuul (ratification) ,the groom or her authorized agent replies:

(52) [na9am qabiltu tazzwiija]

      Yes, I accept to marry….

A syntactic feature characterizing performative verbs in Arabic is that the past tense is used. According to Wright (2002,2:1) and Hassan (1966 ,1:4), one of the functions of ?lmaadi (past tense) indicates an act that is just completed at the moment and by the very act of speaking as in the case of the so called ?af9aal ul-9uquud (verbs of contract).

According to Abbas (1989:147-148), any attempt to change the Arabic tense from past tense to the present tense will destroy the performative meaning of the utterance.The utterance

(53) [?9ṭaituka al-kitaba]

I give you the book.

is a performative one.But when someone says:

(54)[bi9tu fulanan kitaban]

I sold someone a book.

The utterance will be xabar (constative) rather than inšaa (performative) because it can be verified as being true or false. So, it is by no means a form of contract.

Al-Kubeisi (1970:43) adds that the SAM can be expressed by using verbs in the present and in the past tense in Arabic. Morevere, the utilization of the present tense should be restricted to its context. Otherwise , the act will not be a performative one because there is no indication to the speaker's intention to perform it at the moment of speech. Thus, it is to be noted that if the girl or her guardian uses the present tense, the SAM will be infelicitous because the contract does not refer to the conventional meaning that shows the girl's intention to perform the speech act.
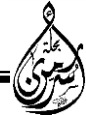
In Arabic ,the SAM can only legitimately take place under certain conditions .As far as condition (A-1) of Austin's (1962) conditions is concerned ,it is sufficient that a man and a woman who are not prevented from marrying each other indicate an intention to marry each other and recite words in front of a judge or registrar. Both the bride and the groom must utter Al-?ijab (obligation) and Al-Qubuul (ratification) in contract council ,understand what each one says with no suspended condition (Al-Xalifah,2007:45; Al-Kubeisi,ibid:47-48).

Marriage contract must take place in the presence of at least two reliable witnesses, with the consent of the guardian of the bride who is less than eighteen years and the consent of both the bride and the groom. If either one of them disagrees on the marriage, it will not legally take place (Ali,Obeid and Abbas,1980:33-48; Marriage, 2012:18).

In Islam, polygamy is allowed with the specific limitation that men can have no more than four wives at any one time (Marriage, ibid:17).If a man

marries a woman as a fifth wife or a woman who is already married , the act will be null and void (Al-Kubeisi,1970:66).

With respect to condition(A-2), the SAM will not be accomplished unless the act is issued by the bride and the groom employing Al-?ijab (obligation) and Al-Qubuul (ratification) respectively and registered by an authorized person (Al-Kubeisi,ibid:42; Al-Xalifah,2007:379).So, if the bride utters Al-9jab and the groom does not utter Al-Qubuul, they only go through the form of a marriage and thus, the act will be null and void.

As far as condition(B-1) is concerned, the procedure includes that the groom accepts the dowry specified by the bride in front of a judge and two witnesses. In this regard , Al-Qubuul should coincide with Al-?ijab with respect to the dowry or the name of the bride (Al-Kubeisi,ibid:50). Accordingly, if a wrong name is used or a different dowry is referred to in Al-Qubuul, the act will be null and void.

Regarding condition (B-2),the procedure must be executed completely. The couple getting married must sign the register before a judge or a registrar. Otherwise, a valid marriage is prevented from ever coming into existence (Al-Kubeisi, ibid:63).

Regarding condition (T-1),when one party has been forced to marry under duress, the wedding is not legally binding. So, the marriage is not valid and annulled (Ali, Obeid, and Abbas ,1980:44).In countries where Sharia law operates ,a performative may be uttered with no serious intent while the act is binding .This happens depending on The Prophetic Order that in three matters (marriage, divorce and freeing the slaves) words uttered unintentionally or even in jest cannot be withdrawn. So ,the SAM is binding even it is issued in jest (Thomas,1995:43-44;Allan,1986:183).Accordingly , the act is binding when the groom says 'qabiltu' regardless to his intention.

Concerning condition (T-2),marriage consummation is subject to the subsequent conduct .If this condition is not met ,the marriage is voidable by the judge who is authorized to terminate the relationship of a married couple depending on some reasons that affect the essence of the marital relationship between them. This may happen when the husband suffers from a permanent physical condition or some chronic diseases that make him unable to perform his marital responsibilities. So this may void the marriage (Ali, Obeid, and Abbas, ibid:153).

6. Contrastive Analysis

So far, the relevant literature of the SAM in English and Arabic has been dealt with. It is time now to conduct a contrastive analysis to explore the structural and pragmatic aspects of similarity and difference between the two languages in this respect.

On the syntactic level, the subject is obligatory in English and Arabic. Moreover, it is expressed in the pronoun ' I ' in English whereas it is expressed by the inseparable pronoun [-tu] in Arabic. If the subject of the Arabic performative is not the first person and its tense is not past, it is not performative.

Both languages employ transitive verbs in issuing the SAM .With respect to Arabic, the verb 'zawwajtu' is a diatransitive one. The direct object is 'nafsi' and the indirect object is the pronoun [-ka]. In English, the verb employed is a monotransitive one which is rendered to be a pro-form when the bride says: "I will (take you…)".

As far as the tense of the performative verb is concerned ,there is a fundamental difference between English and Arabic. The present tense is used in English while the past (referring to present) and present tense can also be used in issuing the SAM in Arabic. In such a case, there should be a clear evidence in its context .Otherwise ,the verb will lose its performative meaning. In both languages, the performative verb cannot be deleted. Any attempt to delete it will destroy its performative meaning.

Concerning the constraints on performative utterances in English and Arabic, they show similarity in that they can be tested .In this regard, the adverb 'hereby' is used in English whereas 'ha?anaða' is used in Arabic.

On the pragmatic level, most of Austin's (1962) felicity conditions are found in Arabic. Regarding condition (A-1), there are some differences which are attributed to the religious and cultural differences between the two languages .One main

difference is that the SAM in English is performed in the form of a question by the vicar. The bride rather than the woman mainly participates this speech act . On the other hand, both the bride and the groom participate issuing this speech act in Arabic that if one party utters Al-?ijab but the second one does not show Al-Qubuul ,the speech act will be infelicitous. Another difference is that polygamy is allowed in Arabic whereas it is not allowed in English .Thus, the SAM will be misfired in such a case in English while it is not in Arabic.

In condition (A-2), the two languages show a difference in that the SAM is issued by both the bride and the groom in Arabic while it is accomplished by an appropriate authority who is a vicar in English.

Regarding condition (B-1), one difference is that Al-Qubuul should coincide with Al-?ijab regarding the dowry in Arabic .In English , on the other hand, there is no such a procedure. Another difference lies in that the precise words must be used in English while in Arabic , various constructions can be utilized. The two languages show similarity in that the SAM will be vitiated when the wrong names are used.

With respect to condition (B-2), the two languages are similar. Moreover, English shows a difference that there are nonverbal problems that affect issuing the SAM such as signing the register or producing or placing
 the ring on the finger .So, failure to perform any one of the above conditions at a different point in the ceremony would cause the act to misfire.

Regarding conditions (T-1 and T-2), the two languages show similarity in relation to enforcement in marriage and the participant's subsequent conduct respectively. The similarity lies in that the marriage can be voidable by authorized persons in the two languages. As for condition (T-1) , a difference between the two languages lies in that the SAM is binding regardless to the groom's serious intent in Arabic whereas it should be uttered intentionally in English if it is to be felicitous .

7. Conclusion

The study has come up with the following conclusions:

1- The SAM falls within the category of declarations which belongs to performatives in English whereas it is related to ?lfaaz ul-?uquud (forms of contract) which belongs to Al-Inšaa Ġayr uṭ-Ṭalabi (non-directive performative) in Arabic.

2- A fundamental distinction is drawn between English and Arabic that the most appropriate and common tense form used in the realization of the SAM in Arabic is the past tense (referring to present tense) whereas only the present tense is employed in English .

3- It appears that performative verbs in both languages are subject to the same constraints that the deletion of the performative verb will destroy its performative nature.

4- In conformity with its English counterpart, the Arabic performative verb of the SAM loses its performative meaning if the past tense is used with the third person pronoun.

5- The first person pronoun is obligatory in both English and Arabic if the verb is to be considered performative. Regarding the SAM , ' I ' is used in English while the inseparable pronoun [-tu] is used in Arabic.
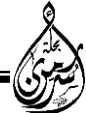
6-   It is found that most of the felicity conditions set by Austin (1962) that are related to the SAM are found in Arabic. Moreover, there are some differences which are attributed to the religious and cultural differences. These differences mainly lie in the preparatory , executive and sincerity conditions such as:

A-   Uttering Al-?ijab (obligation) and Al-Qubuul (ratification) by the couple married is requisite in Arabic while in English, it is not.

B-   In the Arabic culture, polygamy is allowed and hence the SAM can be issued successfully under such circumstances whereas it cannot be issued in English.

C-   There are nonverbal problems that cause the SAM to misfire in English only such as failure to produce the ring or placing it on the finger at a different point in the ceremony.

D-   In Arabic , marriage is binding when the groom utters 'qabiltu' whether it is said in a serious intent or even in jest while in English ,to be felicitous, the act should be uttered intentionally.

7-Some of Austin's (1962) felicity conditions have been studied by Arab jurisprudents under the heading 'shurutu sihatu at-takliif.

٨- In both languages, the SAM represents a typical declaration speech act in the sense that it meets the main characteristics of this category as it is a direct means to a goal, social, sacramental, an audible evidence to an inward and spiritual act ,and its linguistic behaviour is paralleled by an extra linguistic one.

٩-The study provides an evidence that Arab rhetoricians are pioneer in the   study of speech acts that they deal with them centuries before western linguists.

Notes

 (1) Urmson, the editor of Austin's *How to Do Things with Words* (1962:5), in a brief note, mentions that Austin himself realizes that the expression 'I do' is not used in the marriage ceremony. Thomas(1995:53) affirms that Austin himself got this example wrong when he says that the bride and groom have to say: I do.

(2) Although the original tense of the Arabic utterances is the past tenes, their English renderings will be in the present tense that the speech act will lose its performative meaning if the past tense is used in English.

(3) This term refers to a sentence type that should be differentiated from 'declarations' which is a speech *act*.

(4) Aš-Šanqiiti in his book *Muðakiratu Uşuul il-Fiqh ?ala Rawḏat il-Naḏir* (1999:70-72) mentions that some of these conditions are related to the person.Others are related to the action itself .As for the person , he should be sane, mature, and mindful .Those that are related to the action include that the action should be known, nonexistent and possible.

(5) For a detailed account of Al-Xabar, see Matluub, and Al-Başiir (1999:103-120), Atiiq (1970:43-73).

(6) For more details about Al-Inšaa' Aṭ-Ṭalabi (directive performative), see Abbas (1989:147-205), Atiiq (1970:80-129).

(7) The word [ha?anaða] can be an equivalent to the English adverb 'hereby' which is used to test English performatives (Tawfiq ,1994:8).

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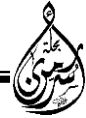
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