A Metapragmatic Analysis of the Speech Act of Marriage in Religious and Legislative Texts

دراسة تداولية لفعل كلام التزويج في نصوص دينية وتشريعية

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Abstract

Family building is the quest of all humans that needs to be shed lights on since human relationships are the most important issues that could be analysed linguistically, religiously and legally. Therefore, this study attempts to analyse metapragmatically the act of marriage in religious and legislative texts, namely, the Quranic and biblical texts and legislations of both Iraq and Britain. The major aims of this study are to examine the metapragmatic factors that influence marriage in religious and legislative texts and compare between the two languages in terms of marriage metapragmatically in religious and legal laws. The researcher uses a qualitative method of research to examine and describe the selected data in this study. The model employed in this study is Searle's felicity conditions (1965) and classifications of speech acts (1975) to show the cross cultural differences of the same speech act. The results of this study reveal that metapragmatic factors have essential role on affecting, performing and expressing marriage across religions and cultures. It is also found that the same speech act is performed differently across cultures employing different felicity conditions.

Key words: Marriage, metapragmatics, Searle, speech acts, Felicity conditions.

ملخص البحث:

بناء الاسرة هو المسعى لكل البشر لذالك يحتاج تسيلط الاضواء عليه كون العلاقات الإنسانية هي من أهم القضايا التي يمكن تحليلها لغوياً ودينياً وقانونياً. لذلك، تهتم هذه الدراسة أن تحلل تداوليا واجتماعيًا فعل كلام الزواج في النصوص الدينية والتشريعية، تحديدا النصوص القرآنية ونصوص التوراة والتشريعات القانونية لكل من العراق وبريطانيا. تتمثل الأهداف الرئيسية لهذه الدراسة في دراسة العوامل التداولية–الاجتماعية التي تؤثر على الزواج في النصوص الدينية والتشريعية، والمقارنة بين اللغتين من حيث الزواج الاجتماعي – الواقعي في القوانين الدينية والقانونية. يستخدم الباحث طريقة البحث النوعية لفحص ووصف البيانات المختارة في هذه الدراسة. النموذج المستخدم في هذا البحث هو شروط الصحة ل (1965) (Searle) وتصنيفات أفعال الكلام (1975) لإظهار الاختلافات بين الثقافات من نفس خطاب الكلام. تكشف نتائج هذا البحث أن العوامل الاجتماعية – البراغماتية لها قاعدة أساسية في التأثير على الزواج والأديان والتعبير عنه عبر الأديان والثقافات. وقد وجد أيضًا أن إجراء الكلام نفسه يتم تنفيذه بشكل مختلف عبر الثقافات التي تستخدم شروط الصحة المختلفة.

الكلمات المفتاحية: الزواج، ماوراء التداولية، جون سورل ، افعال القول، شروط السعادة

1. Introduction

Language is the vehicle for covering all human's feelings, attitudes and moods through their talk. It is regarded as "the intentional transmission of information by means of some established signaling system" (Lyons, 1977, p.32). In addition, Turner (1973) states that people use language because they expect it as a tool to fit all circumstances. Furthermore, Cummings and Simmons (1983) describe language as "a social phenomenon because of its highly conventionalized nature" (p.3). Therefore, language is employed as a means of communication as stated by Salmani-Nodoushan (1995) when he says that "people use language to accomplish such functions as ordering, promising, arguing, and so on"(p.1). The knowledge of linguistic rules is maintained by the competence of appropriate use of language in situations (Hymes, 1972).

In this trend, the study of pragmatics is introduced firstly by Morris (1938) who uses this term to refer to the "the relation of signs to interpreters" (Mey, 2004 p. 6). Furthermore, Levinson (1983) claims that pragmatics involves the study of language usage distinguished from syntax which is the study of the combinatorial properties of words and their parts, and differs from semantics, which is the study of meaning. In addition, Leech (1983) describes pragmatics as "any background knowledge assumed to be shared by the speaker and the hearer and contributes to the hearer's interpretation of what the speaker means by a given utterance" (p.13).

Moreover, Leech (1983) and Thomas (1983) divide pragmatics in to two constituents: first is pragmalinguistic, referring to the routines, strategies and large number of linguistic forms to state communicative action and the other one is sociopragmatics which refers

to the social perceptions underling participants' performance and interpretation of communicative action. Therefore, Leech (1983) describes pragmatics as studying the linguistic communication that is related to conversational principles.

Moreover, in this trend Crystal (1985) describes pragmatics as "the study of language from the point of view of users, especially of the choices they make, the constraints they encounter in using language in social interactions, and the effects their use of language has on other participants in the act of communication" (p. 240). In addition, Bachman's (1990) model of communicative competence broadened pragmatic competence to include both illocutionary competence and sociolinguistic competence. He regards pragmatic competence as a component of communicative competence.

Cross cultural pragmatics is described by Richards, Schmidt, kendricks & Kim (2002) as concerned with investigating the similarities and differences in expressing and comprehending messages in cultural norms such as investigating the differences in conventions for realising speech acts. They (2002) state that the study of pragmatics contradicts the study of pragmatics since semantics studies meaning without any reference to the users or the communicative functions of sentences. In addition to Cook (2003) who states that pragmatics is concerned with studying the knowledge and the procedures that enable people understand each other's words.

In addition, Fitzmaurice & Taavitsainen (2007) describe pragmatics as focusing on contextualised uses of language employing language as a communicative instrument that "responds to and is shaped by the pressures of actual situations of verbal interaction with specific communicative purposes and specific speech con-

texts" (p. 13). Therefore, pragmatics reflects aspects where context must be taken into account. Context includes preceding utterances, the participants in the speech event, knowledge, participant's interrelations, goals, and the physical and social setting of the speech event (Cruse,2006). Atkins & Rundell (2008) describe the function of pragmatics as people's intention to communicate their feelings and opinions by their selection of words and phrases while expressing meanings. Some researchers find out that to state that pragmatics is hard to define (Ariel, 2008).

Moreover, Saeed (2016) states that communication in any language means more than just acquiring grammar and pronunciation, but a need for learning how to ask a question, greet, make suggestions and thank other speakers that help to know the uses of utterances of the language "to which utterances are conventionally put in the new language community and how these uses are signaled, if we are to use the language in a realistic way" (p.229).

2. Marrying Speech Act

Marriage is a speech that performs an action, for that this study attempts to prove the power of marriage language and how uttering certain words have central rule in admitting two parties as married couple. Therefore, Rankema (1993) states that the speech act theory shows the language as a form of acting. In addition, Parker (1986) adds that speech acts are depending highly on the context of their use especially to the relation concerning the speaker and the hearer. Besides, Bachman (1990) states that the speech acts in communication cases are closely related to the functional scopes of language.

Speech acts are not the same among cultures, as the emphasis that Fraser (1981) put is built on the idea that all indirect speech

acts that hold illocutionary force are sharing similarities across languages; however, their function, frequency of occurrence and their distribution show differences. In addition, Blum-Kulka and Olshtain (1984) declare that there are differences in using speech acts inter-culturally and crossculturally.

Marriage as an action is described by Austin (1962) as "to say a few certain words is to marry or to marry is to say a few words" (p. 8). He (1962) mentions that the act of marrying is performed by utterances rather than performing action. That is, both acts (marriage and divorce) are related to be performed by utterances not action.

Moreover, Austin (1962) states that the function of performative utterances is expressing actions not just expressing communicative information. It means that actions such as apologising, refusing, promising, requesting and complaining are all acts that are expressed by certain utterances that have action. Therefore, the utterances that are used to understand these functions are identified as speech acts. Moreover, Austin (1962) elicits five speech act sets including: "verdicatives" (giving a verdict), "expositives" (fitting expressions into the course of an argument or conversation), "behabitatives" (indicating attitudes or social behavior), "exercitires" (exercising power, privileges or influence), and "commissives" (promising or else undertaking) .

In addition, Searle (1969) adds for the idea of speech act theory in expressing that speech acts are achieved in real situations of language use and the underlined assumption in speech act theory is the performance of certain kinds of acts or functions. He stresses the importance of the analysis of speech acts stating that speaking a language is performing speech acts such as swearing, promising,

commanding, requesting, etc.

Accordingly, Searle (1976) classifies speech acts into five categories; "verdictives", (as:giving a verdict), "exercitives" (as: appointing, voting, ordering, urging, advising, warning), "commissives" (as making a promise), "behabitives" (as: apologising, congratulating, commending, condoling, cursing, and challenging) and ,"expositives" (as: arguing, conceding, illustrating , assuming , postulating).

Searle (1976) retains the same classification using different terms: directives such as request, commissives such as promise, representatives such as assertion, expressives such as apology and declaratives such as changing a state.

Austin (1962) puts certain conditions for a felicitous act that lead the expression of saying I now pronounce you husband and wife as felicitous if it is uttered by a priest to a couple (man and woman) in certain place, that is church with the existence of people for celebrating the wedding ceremony. The intended action must be regarded and taken seriously by all the participants as the priest and the couple; otherwise, the marriage speech act would be regarded as unhappy or infelicitous. If an act does not conform to the essential conventions, the action would be described as being misfire, whereas when the action was done insincerely by all the participants it is described as abuse (Austin ,1962).

In addition, Partridge (1982) and Huddleston (1984) state that there are utterances that contain performative verbs but do not perform relevant speech acts. These utterances are called statements. Furthermore, Quirk et al. (1985) states that there is no distinction between performatives and constatives since statements are used to make prediction, make assertion, or give an apology.

3. Sociolinguistics and Marrying Speech Act

Trudgill (1993) states that sociolinguistics is describing the relation between language and society. Furthermore, Spolsky (1998) considers sociolinguistics as the field which focuses on studying the relationship between society and language, between the uses of language and the social structures in which the users of language live. Moreover, Blommaert (2005) explains that Sociolinguistics "arose out of a concern with differential distribution patterns of language varieties and forms of language use in societies -- with difference and inequality in other words" (p.9). Moreover, Holmes (2013) describes sociolinguistics as studying the relationship between society and language and explaining why people speak differently depending on different social contexts. As well as, she (2013) describes it as "concerned with identifying the social functions of language and the ways it is used to convey social meaning" (p.1).

Thus, the relation of sociolinguistics and marrying speech acts is seen in the role society plays in performing, uttering, conveying and accomplishing marriage among cultures. Since marriage as an issue is highly related to the society it exists in, it could not be analysed nor investigated without shedding lights on its social aspects.

4. Methodology

This study employs a qualitative method of research to examine the selected texts. The qualitative method presents statements that offer a broad diversity of perspectives and opinions on the investigated phenomena. Qualitative method can set items that can be gathered from variety of sources (Kitzinger, 1987). Moreover, qualitative study is described as a process of inquiry that is based on methodological traditions to explore human or social problem

(Creswell, 1998). The methodology type depends on the research questions and objectives (Crabtree & Miller, 1999; Denzin & Lincoln, 2000). Furthermore, the qualitative research investigates several research strategies that have shared characteristics (Bogdan and Biklen, 1992). In addition, the qualitative research is the only research that provides a stronger interpretation and analysis since it is grounded on the normal environment of the phenomenon (Collis, Hussey & Hussey, 2003).
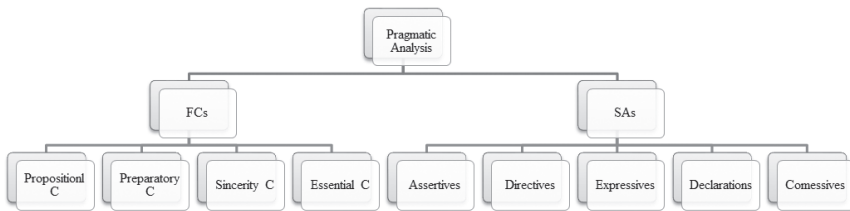
Thus, the qualitative method is employed for analysing the religious (Quranic and Biblical) and legislative texts socio-pragmatically. The researcher employs Searle's (1965) felicity conditions and classifications of speech acts (1975). The felicity conditions are: Propositional content condition, Preparatory conditions, Sincerity condition and Essential condition; and the types of speech acts are: assertives, commissives, directives, expressives and declarations.

The researcher will analyse four texts: one from each holy books: the glorious Quran and the holy bible, and one from legislations of two different cultures from Iraq and Britain. The legislative texts are taken from Iraqi personal status laws and British family law; since Iraqi and British legal laws are absolutely get their inspiration from the Quranic and biblical legislations that have the same values to be obeyed. In addition, Iraqi and British laws are a reflection of completely different cultures that help in producing an analysis of the same issues with applying same models but with different results.

Since this study is a pragmatic study, an attempt to show the pragmatic aspects of marriage in both religions and cultures is made. The researcher selects these data since they reflect a deep understanding of the differences between Islamic and Christian re-

ligions according to the felicity conditions. Furthermore, it reflects the cross cultural differences of the same speech acts in marriage. Two stages of analysis are adopted: firstly, contextual analysis and the pragmatic analysis. The pragmatic analysis is stated by Searle's classifications for felicity conditions (1965) and classifications of speech acts (1975).

Figure 1: The proposed theoretical framework for pragmatic analysis [adopted from Searle's classification for Felicity Conditions (1965) and classifications of speech acts (1975).

5. Data Analysis

In this section, the data will be analysed according to Searle's classifications for felicity conditions (1965) and classifications of speech acts (1975).

5.1 Analysis of Marriage SA Data in Christian Culture

5.1.1 Text 1

Genesis 2:24:

"Therefore a man shall leave his father and his mother and shall cleave unto his wife, and they shall be one flesh."(King James Bible)

5.1.1.1 Contextual Analysis

This text is extracted from the holy Bible, book of Genesis; Chapter two. It states the creation of woman and her relationship with the man. After the creation of man, the woman was created from the rib taken from the man. This text states the issue of marriage which represents the unity of man and woman. The text reflects the idea of marriage which is declared when a man leaves his parents and joins his wife to create their new life as one flesh. The implied meaning in this text is to state the reality of life.

5.1.1.2 Searle's Felicity Conditions

A) Rules of FCs of assertion

1.Propositional Content Rule:

A.the P expresses future A

B.the utterance must denote P of marriage.

2.Preparatory Rule:

A.S would like H to believe in the P

B.S has authority over H

C.A will be done in the normal course of event.

3.Sincerity Rule: S intends H to believe in the P.

4.Essential Rule: counts as S's authority to state P.

B) Analysis of FCs

1. Propositional Content Condition: the proposition of marriage in this text shows the future action by the usage of future particle (shall cleave unto his wife). The words that are stated in this text reflect the idea of marriage explicitly by the words (leave his father….) and (to be one flesh).

2. Preparatory Condition: this text states the fact of creation and the issue of marriage when a man leaves his parents to join his wife. Jesus Christ intends all Christians to believe in this fact since he is a Prophet from Allah and thus whatever he states is trusted and worth being believed in.

3. Sincerity Condition: Jesus Christ intends to state the issue of creation and marriage.

4. Essential Condition: the reality of creation and marriage is not known unless a Prophet from Allah has been sent to explain it for them. That is, only Prophets are authorized to state unseen facts and to legislate rules for their followers. This text is stating how man leaves his father and mother to create his own family and joins his wife to be one soul.

5.1.1.3 Searle's Classifications of Speech Acts

The speech act used in this text is assertive speech act that expresses a belief about life and creation that has a word- to-world relationship.

5.2 Analysis of Marriage SA Data in Islamic Culture:

5.2.1 Text 1

Surat Al- Baqara (the Heifer), (2: 221)

﴿ وَلَا تَنكِحُوا الْمُشْرِكَاتِ حَتَّى يُؤْمِنَّ وَلَأَمَةٌ مُؤْمِنَةٌ خَيْرٌ مِنْ مُشْرِكَةٍ وَلَوْ أَعْجَبَتْكُمْ وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّى يُؤْمِنُوا وَلَعَبْدٌ مُؤْمِنٌ خَيْرٌ مِنْ مُشْرِكٍ وَلَوْ أَعْجَبَكُمْ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ ﴾ (٢٢١) (البقرة)

221. "Do not marry unbelieving women [idolaters], until they believe: A slave woman who believes is better than an unbelieving woman, even though she allures you. Nor marry [your girls] to unbelievers until they believe: A man slave who believes is better than an unbeliever, even though he allures you. Unbelievers do [but] beckon you to the Fire. But Allah beckons by His Grace to the Garden [of bliss] and forgiveness, and makes His Signs clear to mankind: That they may celebrate His praise" (Ali, Trans., 1937, p.15).

5.2.1.1 Contextual Analysis

This Quranic text states a prohibition for all Muslims. Allah forbids Muslim men and women from marrying unbelievers until they believe even if they find some admirations they should avoid such kind of marriage. Therefore, Allah favours believing man, woman over unbelievers since they are described by Allah as inviting Muslim men and women for hell and fire, whereas Allah intends all Muslims to be in heaven. This verse is divided into two parts: the first one is an order from Allah to avoid marrying unbelievers, while the second one is the reason for that prohibition. Unbelievers are calling for sins and fire while Allah wants all Muslims to be in heaven longing for his mercy. The implied meaning in this verse is a prohibition for all Muslims from marrying unbelievers until they believe.

5.2.1.2 Searle's Felicity Conditions

A) Rules of FCs of Order

1. The Propositional Content Rule: future act of H

2. Preparatory Rule:

A. S would like H to do A and H must do it.

B. A must be done in normal course of event.

3. Sincerity Rule: S intends H to do A.

4. Essential Rule: the utterance counts as obligation for H to do A.

B) Analysis of FCs

1. Propositional Content Conditions: this verse states a proposition for Muslims in case they attempt to marry unbelievers and this proposition is seen by the usage of words (ولاتنكحوا)(Do not marry) which is in present simple tense that expresses present action for future intention.

2. Preparatory Condition: Allah orders Muslims and states that rule for them and Muslims in advance must obey Islamic laws by avoiding getting married from unbelievers. Allah's intention for avoiding such kind of marriage is lexically and explicitly stated by the words (والله يدعوا الى الجنة والمغفرة بأذنه) (but Allah beckons by His Grace to the Garden [of bliss] and forgiveness).

3. Sincerity Condition: Allah explicitly intends all Muslims to obey him and follow his rules.

4. Essential Condition: All Islamic rules are considered as basic rules that for certain to be followed. Therefore, Muslims cannot marry unbelievers male or female and if they did so it means that a sin has been committed, and thus must be punished.

5.2.1.3 Searle's Classifications of Speech Acts

This verse states one law of Islamic marriage which is permission of polygamy in a conditional type of sentence to state a directive speech act that attempts to order Muslim men for being justice and fair when marrying more than one wife.

5.3 Analysis of Marriage SA Data in British Legislative Texts

5.3.1 Text 1

1949 England and Wales Code- Chapter 76: part 1 Restrictions on Marriage: Section 1: Item 1

1.-(1) A marriage solemnized between a man and any of the persons mentioned in the first column of Part I of the First Schedule to this Act, or between a woman and any of

the persons mentioned in the second column of the said Part I, shall be void.

5.3.1.1 Contextual Analysis

This British legislative text states the restrictions that are applied for British marriage. It states the prohibited degrees that make the marriage void. This law specified those who are not allowed to get married for kindred and affinity relations. If a man or a woman intends to marry from kindred and affinity relationships, then the marriage shall be void. The implied meaning in this rule states a prohibition for English citizen to limit their marriage acts.

5.3.1.2 Searle's Felicity Conditions

A) Rules of FCs of Assertion

1. Propositional Content Rule: future A stated by the P
2. Preparatory Rule:
   A. S believes that H must not do A
   B. S has authority over H

C. A will not be done in normal course of event

3.Sincerity rule: S intend H not to do A

4.Essential rule: P is prohibition for H for doing A

B) Analysis of FCs

1.Propositional Content Condition: the particle (shall) expresses the future action to state the prohibition of marriage between kindred and affinity relations.

2.Preparatory Condition: the legislator believes that this law must be followed and that British citizens must not marry from kindred and affinity relations. The legislator is authorised to state that law and it must be obeyed otherwise marriage will not be done in the normal course of events.

3.Sincerity Condition: the legislator sincerely intends all British citizens not to marry from kindred and affinity relations and this is seen by the usage of word (void) to declare the invalidity of marriage.

4.Essential Condition: this civil code is considered as prohibition for British people not to marry their kindred and affinity relations. This prohibition is stated implicitly and is expressed by declarative sentence.

5.3.1.3 Searle's Classifications of Speech Acts

This text is declarative in form but imperative in function. The speech act used in this text is directive speech act that tries to order all British citizens not to marry kindred and affinity relations.

5.4 Analysis of Marriage SA Data in Iraqi Legislative Texts

5.4.1 Text 1

الباب الأول: الزواج: الفصل الأول: الزواج والخطبة: المادة الثالثة: الفقرة الرابعة.

4- لايجوز الزواج باكثر من واحدة الا باذن القاضي ويشترط لاعطاء الاذن تحقق الشرطيين التاليين:

ا-ان تكون للزوج كفاية مالية لاعالة أكثر من زوجة واحدة.

ب-ان تكون هنالك مصلحة مشروعة.

Alwaqai Aliraqiya (the Iraqi official gazette), Law NO.(188) 1959)), issue No. 280 dated December 30, 1959.

Chapter 1 – Marriage: Section 1– Marriage and Betrothal: Article 4

4- Marrying more than one woman is not allowed except with the authorization of the qadi (judge). Granting this authorization is dependent on the fulfillment of the following two conditions:

a- The husband should have the financial capacity to provide for more than one wife 2.

b- There is a legitimate interest. (Translated by American Bar association, Iraq Legal Development Project,2006)

5.4.1.1 Contextual Analysis

This legislative text is extracted from Iraqi personal status law. The chapter discusses the marriage and engagement laws. This point of Iraqi law focuses on preventing polygamy marriage only for certain causes that are agreed upon under certain conditions. It states the issue of marriage with more than one woman. It focuses on the permission of marrying more than one woman. In this text, the emphasis is on two parts: the first discusses legislator's view about marrying more than one woman, while the second discusses the conditions that must be done to agree upon such marriage.

The legislator limits Iraqi men from marrying more than one wife with permission based on the judge's acceptance for the husband to marry. The judge would not allow the husband to marry unless he convinces the judge with two conditions: The first condition asserts the husband's ability in financial affairs to offer for more than one wife, whereas the second condition focuses on the existence of legitimate interest that is strongly needed to cause the judge agree upon this marriage. The implied meaning in this text is the prohibition of marriage of more than one woman.

5.4.1.2 Searle's Felicity Condition

A) Rules of FCs of Prohibition

1.Propositional Content Rule: Future A is done under certain conditions

2.Preparatory Rule:

A.S believes H must follow P.

B.S has authority to state P.

C.A will not be done in the normal course of event.

3.Sincerity Rule: S intends H to follow P.

4.Essential Rule: the utterance counts as preventing H to do A.

B) Analysis of FCs

1. Propositional Content Condition: marriage of more than one wife is prevented in Iraqi law. The future action of prohibition is seen by the usage of the prohibition particle and the present verb (لا يجوز) to prevent future marriage with (باكثر من واحدة) more than one wife.

2. Preparatory Condition: to control and organise the system of the country the judge, who is in a position over people, is authorised to permit or forbid men from marrying second or more wives.

If a man marry second wife without judge's permission it causes problems and severe punishment.

3. Sincerity Condition: the legislator intends Iraqi husbands to follow that civil law and obey it.

4. Essential Condition: this legislative text is stated to prevent the husbands from marrying more than one woman unless with certain conditions.

5.4.1.3 Searle's Classifications of Speech Acts

This legislative text includes a directive speech act that prevents men from polygamy marriage unless certain conditions convince the judge. The sentence is a conditional sentence that uses the negative particle with present verb (لا يجوز) with the condition of agreement upon such marriage (الا باذن) to state permission with restrictions.

5. Discussion and Conclusion

This metapragmatic study attempts to examine the influence of metapragmatic factors on marriage in religious and legislative texts cross-cartulary since marriage is performed differently using certain speech acts. Hence, it is found that that the glorious Quran plays central role in controlling society's conventions and beliefs as it states explicitly and implicitly laws of marriage that rules society's conventions. Moreover, Iraqi legislative law contradicts some Quranic laws that organise Muslim's life. The glorious Quran expresses laws of marriage in a detailed way that even the nitty gritty facts are conveyed either explicitly or implicitly as with permission of polygamy, prohibition of marrying unbelievers.

Furthermore, the biblical and legislative texts of marriage are stated explicitly and implicitly. Moreover, Christianity puts rules of marriage that does not permit the existence of an agent.

Therefore, society's conventions are determined fact that affects civil laws but it is inspired by religious laws since religion demonstrates the way people live in. In addition, society sometimes contradicts religious and legislative laws and this is known as *conventions* that has a strong effect on people's thoughts and behaviours. Moreover, polygamy is not encouraged by the society, although it is allowed by Islamic laws. Hence, religion controls society more than laws of civil legislations.

The similarities of marriage between Islam, Christianity and legal laws are examined as that both religions state laws of marriage in an explicit and implicit forms, using present and past tenses to express orders, advices, assertion and prohibition. Moreover, Iraqi civil law is similar to British law in demanding the existence of both spouses and witnesses. In addition, religious texts that express order are stated in a polite form. Furthermore, both religious texts are expressed in a generalised form even if stated in a singular form, but the intention is for generalisation. In addition, words that reflect marriage are explicitly stated, and if they are implicit, they are easily determined. In addition, both religions care for family's union and peace. Furthermore, Islam and Christianity both address their followers. Most importantly, the eclectic model is applied on religious and legislative texts of marriage. In addition, most civil texts of Iraqi and British are stated in an explicit way as directive speech act. In addition, British civil marriage is restricting man marrying any of kindred relation, or woman any of affinity relation as with Iraqi legal law's restriction of man marrying kindred and affinity relations.

Moreover, certain difference findings of marriage are explicated as that Islam permits polygamy marriage; while Christianity, British

and Iraqi civil laws forbid polygamy. However, Iraqi civil law permits polygamy marriage, but that permission is under certain and specific conditions only. Moreover, Islam sets strict conditions that assert the wife's faith and this law is explicitly stated in the glorious Quran, while Christianity does not permit marrying from other religions. Islam asserts the approval of wife's guardian while in Christianity no need for wife's guardian's approval. Furthermore, the form of Quranic sentences that express marriage is of a conditional type that link the intention with the action related to the intention. Moreover, texts that prohibit Muslims are justified with applicable reasons for preventing Muslims from doing the intended action.

Moreover, the eclectic model is employed pragmatically to examine the implied aspects in religious and legislative texts. Pragmatically, the Quranic and biblical texts are expressed in different forms as order, prohibition or statement with different pragmatic functions, that is as directive speech act, assertive speech act or commissive speech act.

Searle's felicity conditions are applied on the Quranic, biblical and legislative texts to examine the felicity conditions of marriage in Islamic, biblical and legal texts of Iraq and Britain of marriage texts to examine how marriage speech act is performed cross-culturally.

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