

ارتباطات حقوق المرأة المسلمة في وثيقة الزواج الفلسطينية

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ملخص الدراسة:

تبحث هذه الدراسة في حقوق المرأة المسلمة المدرجة في وثيقة الزواج الصادرة عن المحكمة الشرعية في فلسطين. وتهدف إلى وصف الحركات وكذلك خطوات العقد على المستوى الكلي، وتفسير طبيعة الحق في كل خطوة على المستوى الجزئي للوثيقة، وأخيراً شرح القوى الكامنة وراء توثيق كل حق تضمنته الوثيقة. تُطبق الدراسة أسلوب البحث النوعي إذ تم فيه استخدام أسلوب تحليل النمط الكتابي الخاص (Genre analysis) لباتشيا (2004) وكذلك نماذج تحليل الخطاب الناقد (CDA) لفان دايك (1998) لتحليل السمات والمكونات البلاغية لوثيقة الزواج الفلسطينية. لقد وُجد أن الوثيقة تتكون من ثلاثة أجزاء رئيسة تم تصورها على أنها حركات عند مستوى نص عقد الزواج على النحو التالي: افتتاحية الوثيقة، ومنتها، والخاتمة. ففاتحة الوثيقة ترمي إلى تحديد مصدر المستند، وتبرير مفهوم الزواج من منظور إسلامي، وتعيين مواقيت أي زمان ومكان إصدار المستند. أما متن وثيقة الزواج فيهدف إلى توثيق تفاصيل الزواج، والتحقق من عمر وصحة الزوجين، وتحديد المبلغ المدفوع كمهر وكيف ، وتعيين والد الزوجة وصهره كمنفذين مباشرين للعقد المبرم، وتدوين أي شروط محتملة لأي شريك، وتعيين شاهدين ناضجين، وأخيراً صياغة عقد الزواج بتدوين عقدة النكاح. أما خاتمة العقد تهدف إلى التوقيع على الوثيقة من قبل شاهدين مسلمين، والزوجين ، والديه ، وأخيراً وكيل الشرعي. وخلصت الدراسة إلى أن وثيقة الزواج تحافظ بوضوح على الحقوق المالية والاجتماعية والثقافية والقانونية والمادية لكلا الجنسين المتناكحين وخاصة المرأة. وتم الاستنتاج أن الوثيقة قيد التحقيق ليس فقط مستشرفة وتستند إلى حد بعيد إلى تعاليم الإسلام فيما يتعلق بمفهوم الزواج وإما أيضاً يهيمن عليها وبكل وضوح القيم الاجتماعية والثقافية للذكورة الأبوية.

الكلمات المفتاحية: دراسات النوع الاجتماعي ، حقوق المرأة ، التنوع اللغوي الاجتماعي ، تحليل النوع ، تحليل الخطاب النقدي.

Affiliations of Muslim Woman's Rights in the Palestinian Marriage Document

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Abstract

This small-scale study investigates the rights of Muslim woman listed in the marriage document issued by legal court in Palestine. It aims to describe the moves as well as the steps of the contract at the macro level, interpret the nature of the right each move and step sustains for women at the micro level of the document, and finally explain the forces lying behind the documentation of one particular right. The study applies a qualitative research method in which Bhatia's (2004) genre as well as van Dijk's (1998) critical discourse analysis (CDA) models were utilized to analyze the rhetorical features and components of the Palestinian marriage document. It has been found that the document consists of three major parts conceived as moves as follows: The heading, the central, and closing move. The heading move steps to identify the issuer of the document, justify the notion of marriage from an Islamic perspective, assign the settings of the document. The central move steps to provide the details of people getting married, check their age and health, identify the amount paid as dowry and how, assign the wife's parent and the son-in-law as direct implementers of the contract being held, suggest any potential conditions of any partner, assign two mature witnesses, and finally to word the marriage knot. The closing move steps to sign the document by two Muslim witnesses, the couple, their parents, and finally the state agent. It has also been found that the marriage document clearly preserves the fiscal, sociocultural, legal and physical rights of both sexes getting married. However, it has been concluded that the documents under investigation is not only oriented to a good extent by the Islamic notion of marriage but also dominated by the sociocultural values of patriarchal masculinity.

Keywords: Curriculum evaluation, developed science curriculum, first grade of secondary school.

1. INTRODUCTION

1.2 The Notion of Marriage in Various Human Cultures

This section aims at introducing the notion of, i.e. the way people understand, marriage in modern various cultures. From a social perspective, marriage is introduced as a rite of passage from one stage of life to another. The concept, i.e. full understanding, of marriage in Islam is also brought in from two different perspectives: ontological and deontic. The former regulates the philosophy of marriage in Islam for universe creation and building and life continuation. The latter is practical as it only attempts to obey the rules that Islam maintains for the Muslim couples when they get married. Marriage in the broad Arabic culture is finally conferred in full details.

1.3 Marriage as a Rite of Passage

Nowadays, wedding is perceived as a text that mirrors social acts and identities. Leeds-Hurwitz (2002, p. 87) quotes "Since ritual is a good form for conveying a message as if it were unquestionable, it is often used to communicate those very things which are most in doubt". Leeds-Hurwitz also remarks that communities exploit rituals as one way to send information to other members, designating occasions of significance, such as birth, wedding and death. A ritual is defined as "an act or actions intentionally conducted by a group of people employing one or more symbols in a repetitive, formal, precise, highly stylized fashion" (Myerhoff, 1992, p. 129). To understand the meanings depicted by these ritual signs and symbols, Leeds Hurwitz (2002, p. 88), however, argues that we should look at them in terms of "a hierarchy organized according to the size of the unit under analysis. In rituals, a symbol can be brought together with other symbols and other potential types of arbitrary signs, and realized as part of a larger whole; the larger whole can be, then, referred to as a social code. In other words, all the verbal symbols relying on wedding, for instance as a vehicle to satisfy meaning are part of the same large of set social code.

Rituals belong to us and have -according to Driver (1991, p. 6), three social gifts including the sense of community, social order and transformation. Of these, a ritual plays a certain role in creating the sense of order and the sense of community through supplying a specific structure and predictability to the members of the group participating in the ritual. Rituals also maintain a way for reviving social "bonds" among group members (van Gennep, 2013, p. 2). They also provide a vehicle for the "transmission of family across cultures" (Troll, 1988, p. 628). It is clear then that the people who share and care for attending our ceremonies are part of our community; those who do not for a good reason are not. Leeds-Hurwitz (2002, p. 89) exemplifies when "a family chooses to provide lemon for the chicken soup", everybody else will respond by using the same terms, like "squeezing the lemon juice into the soup", together comprise the group of people who "share assumptions", and (in this example) also "the ethnic identity of being Greek" Americans living with other minorities.

In every community, the life of an individual is an array of passages from one phase to another and from one profession to another. Van Gennep (2013, pp. 2-3) clarifies that when there are exquisite distinctions in the individual's age and business, progression from one category to the next is often accompanied by some acts which are wrapped in distinctive ceremonies. In these rituals, progression from one social situation to the next or from one group to another is implicitly linked with the very fact of existence. In this sense, these acts are existential and ontological, i.e. not free of the sacred. Our life is made up of a sequence of successive "stages with similar ends and beginnings" including mainly "birth, social puberty, marriage, fatherhood, advancement to a higher class, occupational specialization, and death". For each event, there

exists a ceremony that allows for everyone to move in physical space and time from one point to another. As the goals in these events are similar, it makes sense that achieving them is at least very much alike if not quite symmetrical.

1.4 The Concept of Marriage in the Quranic Discourse

Stylistically and technically, the Noble Quran, the holy Script of Islam, selects and uses two terms to refer to the process of getting married: *zawa:jun* and *nika:hun*. The former is roughly glossed as marriage in formal British English; the latter might also be realized as the term wedding in modern American English. It is important to note here that the term 'marriage' denotes -according to www.merriamlearners.com- "the relationship that exists between a husband and a wife"; therefore, it allows for certain words, such as 'happy', 'second' and 'old-fashioned', to collocate with and describe. However, the phrase 'wedding' refers only to the "ceremony at which two people are married to each other". Thus, it is merged with other terms to derive certain compounds, such as 'wedding part', 'wedding cake', 'wedding dress'.. etc. Otherwise, it signals only for the ceremony or party in which two couples are getting married, as in "The wedding will be at 2:00PM". Dissimilarly, the Quranic discourse inclusively selects the term '*azwa:jun*' glossed as 'couples' to mirror the concrete, but normal, relationship between couples, whereas it chooses the term '*nikahun*' to help realize the abstract aspect of wedding.

In quote 1 below, the Quranic discourse actually integrates the term '*zawwaja*' into a long structure '*zawwj-Na:-ka-ha:*' glossed as 'we make you get married from' in order to stop the idea of adoption among Arabs. To give a start, Allah has already asked Prophet Muhammad (PBUH) to get married from his adopted wife's son. In the quote, the term '*azwa:ji*' referring to the 'wives' of the potential adopted male sons is linked twice with the term '*watran*' roughly glossed as 'want' or 'desire' in modern English. According to Lane and Aqrab, the Arabic clause '*qada: minha: watran*' definitely means 'he has already accomplished or obtained his desire from her'. This realization suggests that the Semitic phrase '*watrun*' is selected as a polite word to refer to the male's biological or rather sexual needs. Surprisingly, the components of the long structure used to comment on that need sustain only the predicate '*zawwaja*' meaning 'he made by force someone get married from', the first pronoun reference '*-Na-*' meaning 'We' referring to almighty God', the second pronoun [*-ka-*] meaning 'you' referring to Prophet Muhammad (PBUH), and the third pronoun '*-ha*' referring to the previous adopted son's wife. This unique linguistic manipulation maintains only a male and a female for the purpose of getting married and obtaining biological desires (Omar, 2003, p. 829).

By the same token, quotes 2 and 3 discuss the issue of Prophet Zachariah's wife. In quote 2, the Quranic discourse stylistically uses the term '*imra'a*' glossed as 'woman' in English. The selection of the term is clearly conditioned by lack of ability to give birth due to old age; it, however, sustains that of sex. In quote 3, the term

Quote[1] [...fa-lamma: qada: mminha: zaydun watran zawwjNa:ka: li-kay la: yaku:na 'ala: al-mu'mini:na harajun fi: azwa:ji ad'iya:'ihim itha: qadu: minhunna watra..] Al-Ahzab 33:27

(Then, when Zaid had accomplished his want of her so as to have no further need of her, We joined her in marriage to thee, so that there may be no hindrance for the believers with regard to the wives of their adopted sons, when they have accomplished their want of them..)

Quote[2] [qa:la Rabbi: 'anna: yaku:nu li: ghula:mun wwa-ka:nat imra'ati 'a:qiran..] Maryam 19:8

(He (Zachariah) said, 'My Lord, how shall I have a son when my wife is barren..)

Quote[3] [fa-istajabNa: lahu wa-wahbNa: lahu yahya: wa-'aslahNa: lahu zawjahu...] Al-Anbiya' 21:90

(So We heard his prayer and bestowed upon him John and cured his wife for him...)

'zawjihi' glossed as "his couple" or "partner" is actually used after fixing the biological capacity of that woman (here by a sort of miracle) for reproducing (Omar, 2003, p. 367). This circulation in the usage of certain technical terms is probably intended not only to meet the human beings' biological desires but also to pass their genes to their children. Both quotes are about two couples who want so much to have a family, but that their need is constrained only by the age factor. This interpretation suggests that the Quranic discourse also maintains reproduction as a main reason for marriage among partners.

Similarly, quote 4 uses the term 'azwa:jan' roughly glossed as 'wives' in modern English. In the quote, the Quranic discourse explains the ontological reason beyond the creation of Eve as well as any female from Adam or any male. It lists three good reasons for couples: to find peacefulness of mind, to exchange love and to swap tenderness and mercifulness. According to Omar (2003, p. 402), the Arabic tri-literal root 'sakan' conveys certain meanings centered on becoming "still, stationary, calm, appeased, and allayed". In relevance, Al-Heeh (2017, pp. 35-39) argues that Arabic benefits to a good extent from the meaning values loaded at the consonantal tier of the Semitic root to advance some polysemous words that have different meanings but one similar form. Generally speaking, polysemy is centered on certain values linked to the source, shape, state, knot, abdomen, and locomotion. Therefore, the Quranic discourse in quote 4 utilizes the meaning value of having 'comfort' or 'peacefulness of mind' when couples stand still especially at night.

Quote[4] [wa-min a:ya:tiHi 'an khalaqa lakum mmin anfusikum azwa:jan li-taskunu: 'illaya: wa-ja'ala baynakum mmawaddatan wwa-rahmatan...] Ar-Rum 30:21

(And one of His Signs is this, that He has created wives for you from among yourselves that you may find peace of mind in them, and He has put love and tenderness between you...)

To suffice, the Quranic discourse also employs the term 'nika:hun' to refer to the process of getting married. According to Omar (2003, p. 791), this term as well as the various related forms can also be used to refer to "marriage, coitus", i.e. sexual intercourse, "coitus without marriage, and marriage without coitus". Thus, the Quranic discourse stylistically benefits from these values to direct Muslims. In quote 5 below, the Noble Quran redirect believers to consider and arrange marriage from the widows dwelling in the surroundings. In this sense, the Quranic discourse selects the term to affirm the notion of wedding, its components and elements. In other words, the selection of the term 'inkihu:' sustains the idea of marriage whereas 'ayama:' maintains the key element of the wedding potential brides. Quote 6 also maintains the human desire to wed. In the quote, the Quranic discourse provides that the human desire of wedding is pivotal to marriage.

Quote[5] [wa-inkihu: al-ayama: minkum...] An-Nur 24:32

(And marry widows from among you,..)

Quote[6] [...wa-'mr'atan mmu'minatin 'in wwahabat nafsaha: li-annabiyy in ara:da 'an yastankiha:...] Al-Ahzab 33:49

(...any other believing woman if she offers herself for marriage to the Prophet provided the Prophet desires to marry her..)

As the sacred Script of Islam is characterized by absolute concision, it inclines to use terms technically and professionally in a way (as the Noble Quran itself declares) very similar to native speakers of Arabic in the pre-Islamic period. Those used to describe the person who keeps sitting with women as 'zir

Quote[7] [azzani: la: yankihu illa: za:niy aw mushrikatan...] An-Nur 24:3

(The adulterer shall not marry but an adulteress or an idolatrous woman...)

nisa' making use of both the "shape and "locomotion" of that sitter (Al-Heeh, 2017, p. 35-37). They also would like refer to someone who had a big tendency and capacity to practice sex as "shadi:d ul-nika:h" roughly glossed as "vehement in coitus" (Omar, 2003. p. 791). As Islam, the emerging doctrine at that period, bans any illegal relationship between both sexes, the holy Script flavors the term 'nikahun' instead of 'zawajun' to utilize from the term's negative meaning value that might keep the act of sever or illegal sexual intercourse without marriage. In quote 7, the Quranic discourse selects the term 'yankihu:', glossed as 'to have sex', to inform a social norm that "the adulteress cannot have sexual intercourse but with an adulterer" (see Quote 7).

Central to Judaism, Christianity and Islam is the first historical happy marriage, though misfortune regarding residency, between Adam and Eve. Among these Abrahamic doctrines, only Islam validates polygamy, i.e. the practice or condition of having more than one spouse, especially wife, at one time. The Quranic discourse legitimates (under certain conditions related to the level of kinship and rights of women) a Muslim male can have up to four wives at the same time (Engineer, 2008; Jawad, 1998; Khaddouri, 1977). Prophet Muhammad's teachings (also known as sunnah) stimulate spiritually and explicitly the capable young to get married. Therefore, scholars of Prophet Muhammad's sayings as well as the pioneer interpreters of the Quranic discourse have already accepted that marriage be mandatory. This suggests that marriage in Islam is realized as a necessary and required but not an obligatory action.

To conclude, marriage in Islam is not rigidly a sacrament; it is always felt as a gift from God or rather a kind of service to God. According to the Britannica Encyclopedia, the basic Islamic principles concerning marriage are laid out in the Quran, which explicitly states that the marital bond (also known as marriage knot) rests on "mutual love and mercy" and that couples are "each other's garments" (Lotha, Gaur, Tikannen, et. al, 2018). Muslims may have up to four wives at one time, though they seldom do in reality, but the wives must all be treated fairly. Traditionally, marriage is always contracted by the guardian of the bride and her potential destined husband, who must, in turn, offer his bride the mahr, a payment provided as a gift to guarantee her financial independence.

1.5 Research Problem

In the Arab World, marriage traditions are neither constrained by nor restrained within national boundaries. As implicated earlier, the notion of marriage is characterized by its universal celebrity; thus, it is very unlikely to be regulated by local nationalities which have emerged lately. The wedding practices of Arabs do not only exceed the national boundaries but also look inseparable from the relevant teachings of Islam (Smith 2002, pp. 153-174). Despite the existence of some different localized customs, modes of apparels, and even types of marriages between the major sects of Muslims, these practices have to be documented officially in what has been termed more recently as the 'marriage contract'. This contract has been inspired from the Noble Quran which maintains that they 'women' have taken from 'men' a solemn covenant -stressing either living together or separating in a good way. Though solid and wide, hardly any studies have been conducted lately to check how the teachings of Islam and of Prophet Muhammad have already recognized as well as established the rights of Muslim women.

1.6 Research Objectives and Questions

In general, the present study attempts to develop a good understanding of the rights that the teachings of Islam preserve for the Muslim woman when she gets married. In particular, the study explores the generic features of the Palestinian Marriage document (Known in Arabic as 'aqdu az-zawa:j) to *describe* the moves as well as the steps of the contract at the macro level, *interpret* the nature of the right each move and step sustains for women at the micro level of the

document, and finally *explain* the forces lying behind the documentation of one particular right. Therefore, the study addresses the following questions:

- a. What are the rhetorical, generic features of the 'marriage contract' documented between couples in Palestine?
- b. What modes of right does the 'marriage document' secure for the Palestinian Muslim woman getting married?
- c. What are the forces highlighting the selection of these rights for women in the 'marriage document'?

1.7 Significance of the Study

The study counts for some good reasons. Linguistically, it fits into the general field of applied linguistics. Thus, it contributes to the sociolinguistic knowledge in which genderism manifests itself as a central area. The study also benefits from systemic functional language (SFL), critical discourse analysis (CDA) as well as genre analysis (GA) to reveal the proclivities and tendencies of one group of people towards women. Therefore, it is expected to contribute to the knowledge of woman's rights, in general and that of Muslim woman, in particular.

1. Review of the Studies on Marriage in the Various Forms of Arabic Culture

In its broadest sense, culture is a way of life. Macionis and Gerber (2011, p. 53) argues that culture refers to the social norms and practices that can be found in any human society. Thus, culture is recognized as a key concept in anthropology, enveloping and regulating the range of phenomena that are addressed in social learning within human communities. Central to humanities is cultural universals which include some aspects of personal conducts, social practices such as culture, its revealing forms such as music, dance, art and ritual, and the various technologies used such as tool usage, cooking, shelter and clothing. While the notion of material culture encloses the tangible, physical expressions of culture, like art, architecture and technology, the spiritual aspects of culture often mask the intangible cultural heritage of a society, comprising the main principles of social organization (whether political or social), philosophy and mythology, literary forms (both oral and written), and natural science.

The term 'culture' is quite complex and deceptive. It is so illusive that it was made the word of the year in 2014 due partly to their frequent use (Steinmetz, 2014). Karp, Yoels, Vann, and Borer (2016, pp. 6-7) argues that the complexity of culture stems from people's daily interactions and their cultural expectations. People are often born into "exceedingly complex culture" thriving on a community characterized by diversity and plurality. The community itself is made up of many individuals with different needs, desires, hopes, prospects and dreams. In its pragmatic sense, culture refers to the process of collecting human knowledge, thoughts, traditions, customs, tendencies and morals, shared by the vast majority of people living in a geographical area or a specific group of those people. At an early age, culture becomes so well-known to people that they take it for granted. In reality, people do not usually examine what they do or why they do something; their life looks so real that it hardly requires any further explanation.

Without the cultural expectations, our social life would be utterly confused if we had to question in length or depth the meaning lying behind every act before getting involved in it. Smith (2003, p. 11) contends "enact and sustain moral order is one of the central fundamental motivations for human actions". Therefore, teachers, for example, expect their students to turn their smart phones when attending classes or at least mute them when doing their tests. An Arab, immature female student does not normally expect a lot of eye contact from a male teacher, but she may expect a lot of contacts, say verbal and visual even when pulling up her car beside another friend at a red light. In short, there are a lot of expectations to meet in the cultural

context. There is a set of considerable cultural expectations that we acquire throughout our life and become part of our cultural schema, i.e. background knowledge. These sets form the crucial rules that govern our behaviors. Although difficult to specify, these rules should mirror our mutual assumptions of what is appropriate and what is not in one social act taking place in different social situations within the same cultural context. In other words, the human act can be proper in one situation but improper in other.

In late modern times, the cultural element of time is regarded essential. Therefore, people usually keep a time device, such as a wristwatch or a smart phone that displays the time exactly. Indeed, the constant preoccupation of city inhabitants with time and punctuality has been regarded as one of the main characteristic features of urban life (Harvey, 1990). In postmodern times, the perceived acceleration of time is also identified as a main feature of the third millennium (Hsu and Elliott, 2015, p. 413). Here, certain expressions are termed to describe the daily rituals of eating, such as 'fast food', of walking, such as 'running' and of touring, such as 'package trips'. In response to the very fast pace of life, many attempts to fight for the urgent need to gratify have been emerged in the form of such movements and terminologies as 'slow food', 'slow city', 'having a quiet lie in at home', 'taking a nap or short sleep', 'jogging' and 'voluntouring'. Marked by some efforts at the international level to slow down time, these endeavors have not only confirmed the necessity for respecting the daily routines of eating, walking, sleeping and touring, but they have also shown the subjective nature of the ways in which time is experienced (Pink, 2008).

As long as marriage traditions in the Arab World concern, culture is not restricted by any regional boundaries (Monger, 2004). The inclination of humans to construct partnerships as well as to nest families is universal. To establish marriage partnerships, there is always some form of a ceremony to be carried out everywhere within the convictions of time and space (referred to at the beginning of this subsection). Moreover, there is some exceptional correspondence in relevance to thoughts, ideas and symbolic objects across cultures in wedding ceremonies. The ceremony is typically a public event in which an audience, from the society to which the couple belongs, usually attends to participate in and probably to witness the union. Therefore, this communal aspect of the ceremony is substantial in wedding throughout the world. The potential ceremonial divergence and discrepancy can only be contributed to some variations in the religious views of marriage and the roles of both sexes in the society.

Throughout the Arab as well as the Islamic Worlds, where marriage is highlighted by the teachings of Islam, wedding ceremonies are managed by the philosophy of Islam. This doctrine stresses the importance of the demand, i.e. the proposal on behalf of the male proposing and acceptance on behalf of the nominated female. Both the physical ability and the fiscal capacity are pivotal to further marriage as well as to continue marital life later. From the Quranic discourse, scholars have already listed some duties and rights for both couples, including the debatable right of guardianship (also known as the minor leadership), and the major leadership (i.e. state presidency), for instance (Engineer; 2008; Aziz, 2008; Afshar, 2001 & Jawad, 1998). To publicize marriage, Islam mandates that only two witnesses be present when giving vows for marriage. By the establishment of modern Arab states in the beginning of the 20th century, the ministries of religious affairs have already taken control over marriage for more documentation and organization. Officially, marriage bonds can take place only in the attendance of a state representative either at the couple's private homes or at the governmental offices.

In the Arabic speaking countries, the differences in marriage act are not always apparent due to the identical verbal but Islamic code used. However, a considerable amount of dissimilarities is often expressed in variation of wedding customs. In his introduction to *Marriage Customs of the World: From Henna to Honeymoons*, Monger (2004, p. 9) argues that the seemingly incomprehensible and peculiar customs and ceremonies related to life events have

actually a practical or spiritual function. In looking at the traditional marriage ceremonies in the Arab world, it sounds that the bride's wedding attire is characterized by spirituality as it attempts to meet the Islamic code of woman's attire (also known as hijab) which stresses body coverage (with a few exceptions including namely the face, palms of the hand and the feet). This attire code does not also encourage body modeling at the same time; thus, the attire of the woman in any event of life should be loose (Latiff and Alam, 2013; Heath, 2008; Moghissi, 2007 & Shirazi, 2001). The practicality of the attire is, however, regulated by the cultural and social codes. Throughout history, each group of people has already developed certain attiring costumes that fit the nature of social roles both sexes play inside or outside home. This code has also taken the ecological system into account. As most Arabs live in a relatively hot place, there is some specialty in the Arabic traditional codes of clothing (normally referred to as thiyab or libas) in particular and dwelling, in general, tailored, designed and decorated to meet the exceptional norms of time and place in the Arabic speaking countries.

Generally speaking, Arabic wedding costumes and parties serve different functions. According to Monger (2004, p. 9), marriage ceremonies and apparels can work as a public advertisement to the whole community in the surroundings that a new nuclear family entity has been established and entrenched. This media aspect pleases marriage as a social act at both the communal and personal level; this helps explain why every participant minds attending these ceremonies and probably watching these costumes. They can also help the couples start their own home as an independent economic unit; this financial aspect is important for Arab young couples who have already graduated and have not experienced the difficulties as well as the requirements of daily routines. Wedding ceremonies and costumes have also a legal aspect as they serve a popular adjunct to the official marriage institutions (Rashad, Osman & Roudi-Fahimi, 2005; Barakat, 2005; Joseph, 1996). This aspect is vital for modern states through which governments can plan schooling and health systems, for instance. At the psychological level, wedding ceremonies may also bring good luck pairs of couples and the new family units.

2. Methods and Materials

Theoretically, the paper draws on a linguistic theory of language. The analysis consistently builds on "systemic functional language" (SFL) which is supposed to leak some knowledge about the grammatical functions as well as the syntactic features of the 'marriage document' under analysis (Schmitt, 2010, pp. 55-73). From a pragmatic view, the analysis also builds on "first order logic" to purify meaning (Kearns, 2000, pp. 25-35). Therefore, the "meaning relation" that the text at the 'marriage document under investigation helps build will be analytically checked. The "meaning values" of the discourses under discussion will be also drawn (Kearns, 2000, pp. 35-41). More importantly, the "predicate" or the "predicators", i.e. what is said about the subject or what is used as subject complement, as well as their "arguments", will be systematically drawn and notified (Hurford, 2007, pp.198-204).

Methodologically, the study builds on genre analysis. At the genre's textual level, Bhatia (1993; 2004) argues that the researcher should manipulate data at three levels of language including analysis of lexico-grammatical features, text-patterning or textualization, or structural interpretation of the text-genre. The first analysis concentrates very directly on specific language features of the text. The second analysis stresses the tactical aspect of the conventional language used to fix how members of one speech community allow for restricted values to further among the various aspects of language. The third is geared towards interpreting the structure of the genre text taking into account the way in which information is displayed. According to Bhatia (1993, p.29), genre "specialist writers seem to be consistent in the way they organize their overall message". This organization usually manifests itself in some forms of moves and steps.

Finally, the study benefits from discourse analysis (DA), in general and critical discourse analysis (CDA), in particular as an approach to the marriage document'. It builds on Van Dijk's

(1998) model of analysis which perceives discourse as an indispensable component of sociocultural values. Van Dijk (1998) has identified a variety of discourse structures that can carry important functions of deep thoughts at the syntactic, semantic and schematic, i.e. discourse, levels. The study also meets Fairclough's (2013, 2010) model of analysis. Fairclough's three-dimensional analytical framework includes three types of analysis at the levels of producing, consuming and construing, i.e. realizing, meaning (Mirzaei and Eslami, 2013, p. 106). The first analysis is descriptive; it aims at describing the meanings produced; the second is interpretive, as it aims to consume the meanings produced by the writer or speaker. The last analysis is explanatory, as it aims at realizing the meanings produced and consumed.

3. Discussion and Analysis

A close look at the Palestinian marriage document reveals that the form which is usually filled manually consists mainly of three parts: The document heading, the marriage contract, and the signature of the parties. Each part will be perceived as a general move which has some steps.

4.1 The Opening Move of the Palestinian Marriage Document

The Palestinian Marriage Document (henceforth PMD) opens with the Quranic verse 'In the Name of Allah the Most Gracious the Most "And one of His Signs is this, that He has created wives for you from among yourselves that you may find peace of mind in them, and He has put love and tenderness between you. In that surely are Signs for a people who reflect". The verse which affiliates directly with the concept of marriage in Islam is placed right on the top but middle of the document. The selection as well as the sequence of the verse suggests that the notion of marriage and the components of the PMD is oriented by the Noble Quran (see Figure 1).

To the right of the Quranic quote is placed the party that issues the document including the State of Palestine, Judge's Office, The Supreme Council of the Sharia Judiciary, and the Local Legal Court. To the left, the contract number, form and settings are all provided. The date is always provided in both calendars (Islamic and non-Islamic). The place is often identified as the house of the bride's guardian, i.e. parents, or the legal court. Unlike the first step which sounds notionally deontological and ontological, the second as well as the third step in the PMD looks legal as both attempt to display only proxemics of time and place (see Figure 1).



Figure (1) The Opening Move of the Palestinian Marriage Document

4.2 The Central Move of the Marriage Bond

This part consists of 10 steps: Identifying the couple to get married, checking their abilities to get married, identifying the wife's dowry, agreeing on paying the dowry, naming the people who will implement the items of the contract, listing the conditions of any parties, naming the witnesses, listing warranty on terms, permitting of the wife's guardian or legal court, and registering the contract discourse.

4.2.1 Identification of the Couple Who is Getting Married

This move opens with identifying the names of the husband and wife consequently. The names of the couple are given in full details including first, second, third and surnames. Virginity

is also checked for the wife. The couple's hometown, place and time of birth, and place of residency are all documented. The couple's nationality, their religion, marital status and occupation are also recorded (see Figure 2). In this step, all of the personal details provided are demographic. However, the documentation of whether the wife has or not experienced marriage before as well as the marital status stems from the teachings of Islam. Although the Noble Quran always places married women before unmarried ones on the textual level, it highlights virginity for some legal reasons related to telling the truth while setting up the terms of the contract. Religion of both couple is documented as Muslim cannot get married from non-Muslims. The marital status is examined as the married woman is identified as [muhsanah] and cannot marry another person at the same time. Though polygamous for males, the teachings of Islam is so monogamous for females that a woman cannot have at all more than one husband at the same time.

المهنة	الحالة الاجتماعية	الديانة	الجنسية	مكان الإقامة	مكان وتاريخ الولادة	البلد	العائلة	الجد	الاب	الاسم الأول	الزوج	1
معلمة	عزباء	الإسلام	فلسطينية	مخورييف	بيت لحم	مخورييف						
معلم	مخربا	الإسلام	فلسطينية	مخورييف	الخليل	مخورييف					الزوجة بكر / محب	

Figure (2) Identification of the Couple Who is Getting Married

In this step, the demographic details provided and documented for couples getting married relate to sociocultural and political values. For example, the full names given for both partners affiliate with not only religion but also masculinity which probably characterizes the Palestinian community as a Muslim one for centuries now. The Noble Quran strictly asks Muslims to call kids for their male parents. It also forbids adoption by blood. Therefore, the meaning relationship between grandsons and their grandparents is a transitive one. That is to say, a great grandfather is simply a father. The Noble Quran also empowers the bride's direct relative, such as her father, elder brother or cousin to be a guardian.

4.2.2 Checking the Couple's Capability to Get Married

In the second step of the PMD, the age and general health of the couple getting married is checked. One of the partners must do the Thalassaemia test in advance. If the result is positive, only then the other partner should be negative. If both are positive, then the couple is not allowed to continue getting married. In relevance to the age, people should be above 16. The real age of the couple is checked through their personal identity card issued by the Palestinian National Authority (see Figure 3).

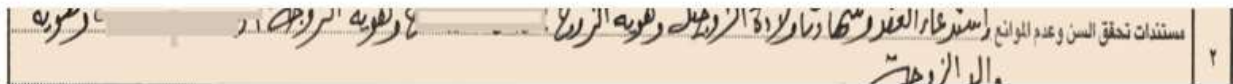


Figure (3) Checking the Couple's Capability to Get Married

4.2.3 Identifying and Agreeing on Paying the Wife's Dowry

In the third step of the PMD, the wife's dowry and its type are often documented. The dowry is defined in three terms: Immediate, postponed, followed. The immediate dowry includes paying a gold Dinar to the bride's father before filling in the marriage document. The gold Dinar as well as the wife's ring is often purchased in advance. Though materialistic, both items sound symbolic as they stand for engagement and paying the dowry. It is important to note here that the

Muslim male under the teachings of Islam cannot wear a gold ring; he can only put on a silver ring around his finger as a symbol. The postponed payment of the dowry is often identified in a currency, such as the Jordanian Dinar in case of divorce. In the Palestinian territories, the Israeli New Sheqel is often always avoided in the PMD for some national reasons.

Part of the dowry is also some precious jewels the groom has to buy his bride half of which before the wedding party day. According to the teachings of Islam, a woman can keep half of the dowry handed to her, only if there has been no sexual intercourse between her and her

المعجل ليرة ذهبية وأهورة وفضة المؤجل أربعة آلاف دينار أردني للحلول الشرعي . التواضع مبلغ ذهبي زينة مائة غرام لياراً ، نصف منها مائة غرام وبقية مائة غرام غير تفرط .	المهر ونوعه	٣
أكثر كبير الزينة والأهارة قدر المهر المعجل وباستلام الزوجة مائة غرام من المصاغ الذهب المرصود	تكلفة دفع المهر	٤

Figure (4) Identifying and Agreeing on Paying the Wife's Dowry

husband before the wedding day. In the case of any separation, the woman can keep all what she has received from her husband as jewelry or half what has been documented in the marriage contract. The next step documents how the dowry is paid. It often confirms that the woman's guardian has already received the instant as well as half of the immediate dowry (see Figure 4).

4.2.4 Resuming the Implementation of the Marriage Contract

Steps 5 to 9 attempt to implement the contract by listing the names of people who will start to put into action the terms of the contract. In step 5, the husband and the wife's male parent -if deceased then her elder brother or cousin, are often assigned to implement the terms. In step 6, one partner of the contract, either the husband or wife's guardian, may list any condition. In a few cases, the woman mandates the right of separation be hers. In step 7, two male figures are assigned as witnesses for the marriage being held. According to the teachings of Islam, the witness should be submitted to Allah, mature, sane and male. In step 8, the PMD allows for listing a warranty on terms -if any. In step 9, it finally seeks the agreement of the wife's guardian or legal court on the details and terms listed in the previous step (see Figure 5).

A close look at these steps suggests the domination of male figures on the implementation of the terms of PMD. In spite of the encroachment of masculinity due to some sociocultural forces, the teachings of Islam allow some space for women to keep breaking the knot of marriage on their hand.

المباشران للعقد الزوج بنفسه وويل الزوجة والرها .	٥
الشروط الخاصة لاحد الزوجين لاشروط .	٦
شهود العقد والوكالة والتعريف المخالفان شرعاً ، [redacted] و [redacted] .	٧
الوكالة على الشروط لا كفاية .	٨
موافقة الولي أو إذن المحكمة موافقة الوصي والرها .	٩

Figure (5) Resuming the Implementation of the Marriage Contract

4.2.5 Paraphrasing the PMD Text

The second move closes with paraphrasing the text of marriage. Here, the state agent, who often carries an undergraduate degree in Shari'a or Islamic studies, documents the agreement of the wife's guardian for marrying his daughter to the person identified in step 1 according to the terms considered in steps 3, 4, 6, and 8. This step must also include the agreement of the husband (see Figure 6). It is important to note here that the marriage contract is often carried out verbally through a ritual in which the wife's guardian shakes hand with his son-

in-law and keeps repeating the formulaic expression 'Following the teachings of Allah and his Prophet, I married you my daughter according to the dowry we agreed upon'. The son-in-law must reply by saying 'I agreed to ...'. As the speech function of this step (whether spoken or written) is performative aiming to make two foreigners into one couple, the tense in Arabic - unlike English, shifts into past.

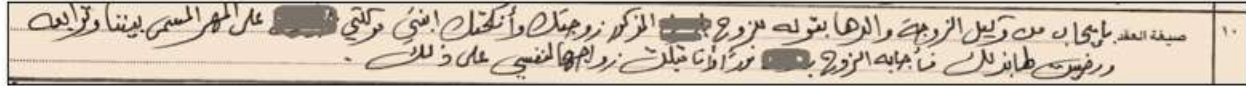


Figure (6) Paraphrasing the PMD Text

4.2.6 Signing and Closing the PMD

The last move consists of two steps. In the first, the state agent, the person who is authorized legally to knot marriage, certifies that he has conducted the contract according to the details provided in the previous move after checking the conditions and the absence of contraindications. In the second step, both witnesses sign the contract by writing their names explicitly. Then the husband or agent, the wife or her agent, and the wife's legal guardian also sign the contract, subsequently. Finally, the authorized person and the legal judge verify the document by signing and stamping it (see Figure 7).



Figure (7) Signing and Closing the PMD

In the closing move, the name of the wife is placed in the middle of the PMD. To the right and most right are inserted the names of her husband as well as the witnesses, subsequently. The witnesses are often selected from both couple's direct relatives, such as uncles. To the left and most left are placed the names of the wife's guardian, i.e. her father, the authorized person, and finally the legal judge. This horizontal sequence of names and signatures (probably implicitly) represents the religious and the sociocultural norms embracing as well as supporting the nuclear family being built. A reversive, but vertical look at this centralized insertion of the wife's name and signature also manifests itself in the second move, step 1 in which the wife's names is inserted below but in parallel with the husband's as a couple getting married. Both names are, in turn, centralized below the Quranic verse blessing the act of marriage.

4. Conclusions and Implications

The opening move of the PMD consists of three steps. Central to these steps, there is a verse quoted from the noble Quran explaining why the almighty God has created both sexes to get married and find tenderness and love among each other. The other steps, however, affiliate only with proxemics of time and place. Therefore, it has been concluded that the PMD is oriented -if not dominated, by the teachings of Islam.

The second move opens with identifying the names of the couple to-get-married. In this initial step, it has been found that the PMD steps to provide some demographic details related the couple's full names, the wife's virginity, hometowns, date and place of birth, marital status, and

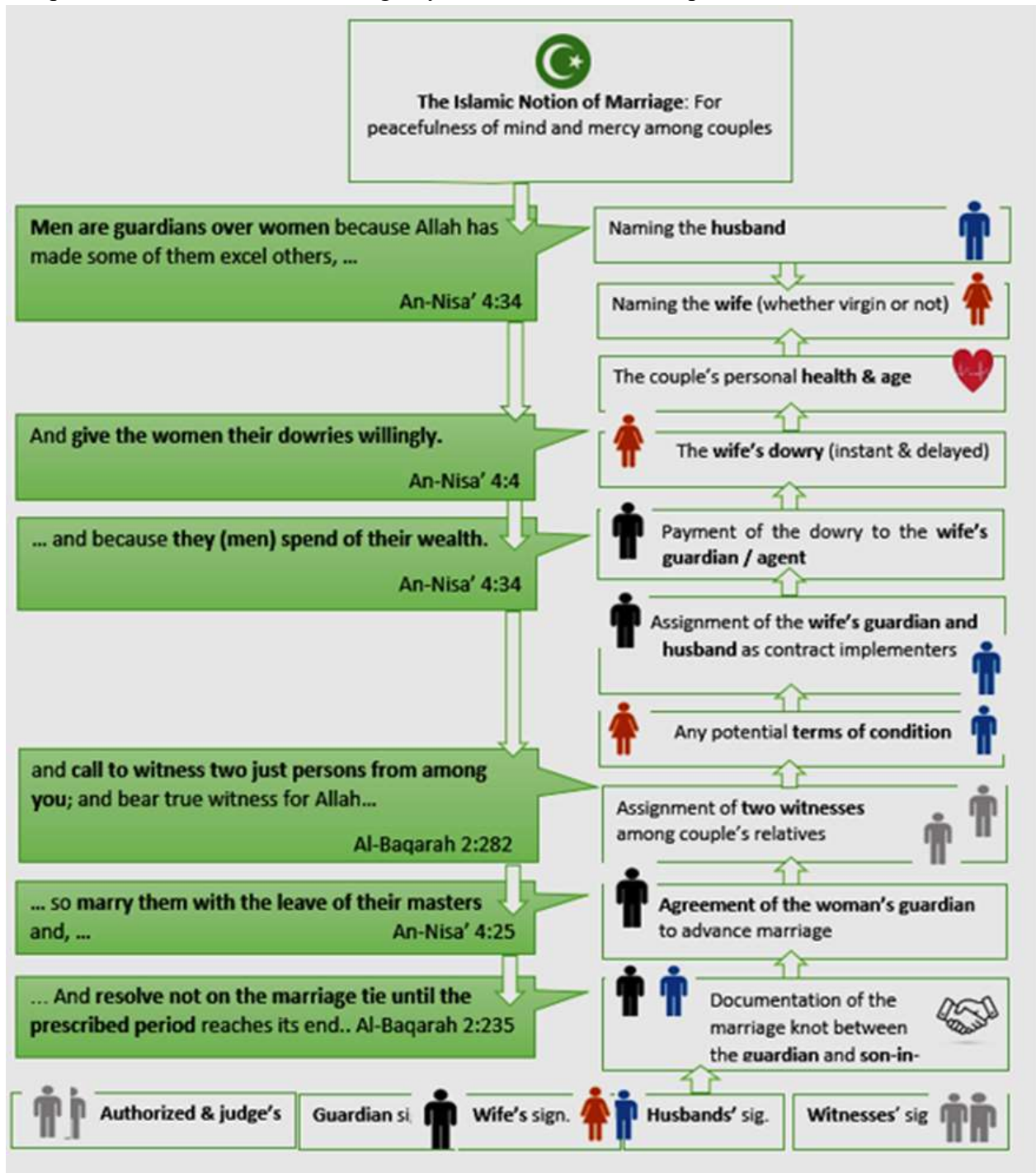


Figure (8) Affiliations of Religion and Power of Patriarchal Masculinity in the PMD

social status. Though oriented by the direct teachings of Islam, the details given in PMD are associated with religious and sociocultural values. In short, they attempt to create a religious as well as a social identity for the couple getting married soon.

Then the PMD steps to examine the age and health conditions of the couple. A Thalamic test is required so as not to pass a genic disease to the young children being born to the parents getting married in the Middle East. This procedure is often carried out under the pressure of World Health Organization (WHO) and Ministry of Health (MoH) in Palestine. It has been concluded that the PMD minds the general health of the nuclear family being built. Besides, the PMD tends clearly to register three modes of dowry for women to be paid instantly and latter on. It also inclines to hand in and document the reception of by the wife's guardian in case of divorce. Therefore, it has been concluded that the fiscal rights of woman are guaranteed by Islam.

In a few successive steps, it has been found that the PMD cares for resuming the marriage contract by assigning both the husband as well as the wife's father or brother as direct implementers. It also gives the wife via her father some room to have the right of splitting from her husband in the future. It has also been found that the PMC assigns two male Muslims as witnesses. It has been concluded that -though the implementation of as well as the testimony on the PMC is characterized by total masculinity- the Islamic doctrine permits legally for a woman to reserve the right to divorce.

These steps close with paraphrasing marriage as a speech act. It certifies that the guardian has agreed - according to the teachings of Allah and His Prophet, to marry his daughter or his sister to his son-in-law on the terms and conditions they assigned. As the process of marriage is a speech act attempting to empower two people from both sexes to be legally a couple, the language used (whether written or spoken) in carrying out this act must be performative. Therefore, the verbs used in knotting the Islamic marriage are shifted to the past tense to meet the general principle in Islam highlighting that Allah has willed (on His Preserved Board) to be a couple before creating them.

In the closing move, it has been found that the name as well as the signature of the wife, in particular, is placed right in the middle of the PMD. A horizontal juxtaposition, i.e. nearness, of the names of the people and their signatures placed to the most right and left of the wife's sounds psycho-motor. From a critical discourse analysis (CDA) perspective, being centralized means being important to others. This feeling probably helps the woman perceive the notion of marriage from ontological, i.e. religious, and social perspectives. A vertical nearness of this centralization for the couple in the second move just below a Quranic verse blessing marriage also help woman develop a good understanding of not only importance but also protection (see Figure 8).

Researchers of sociolinguistics, in general, and gender studies, in particular, may explore marriage documents to investigate social variables among couples in Palestine. They can check partners' age, status, profession, religion and culture. One area to investigate is the terms of condition the Palestinian woman may ask to write in the marriage document. However, the corpus built for this study shows that women in Palestine rarely record any terms of condition in the marriage document. Another area to examine is the percentage of divorce in Palestine.

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