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## Unveiling Human Rights Discourse: A Comparative Analysis of Searle's and Bach & Harnish's Models of Speech Acts

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### Abstract

The Universal Declaration of Human Rights (henceforth UDHR) is the first international agreement agreed upon by the countries of the world to establish freedoms and rights. How the articles are detailed using different sorts of verbs, which act in the formula of engagements, is one of the rigorous efforts to systematically clarify the mechanisms of language. Any act in verbal communication has message in itself, so the communication is not only about language but also with act. Speech act is the utterance that happens and act denotes to an action. This study tries to view the different formulas of speech acts which are hired in the articles of UDHR. Searle's classification on one hand, and Bach and Harnish's innovations on the other, are used in this study in order to trace the development of the different use of speech acts and their effects on the power of each article. This study finds that speech acts theories (SAT) which are applied to UDHR do not only deliver insights on diverse strategies for communicating messages in discourse, but also clarify the dynamics of decoding meanings via speaker-hearer shared knowledge. However, the study concludes that

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SATs place too much weight on speaker's intention, literal and non-literalness of utterances at the expense of other forces in communication.

**Key Words:** speech acts, human rights, Searle' theory, Bach and Harnish's theory

## اماطة اللثام عن خطاب حقوق الإنسان: تحليل مقارن لنموذجي سيرل وباخ وهارنيش للأفعال الكلامية

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المستخلص

إن الإعلان العالمي لحقوق الإنسان (المشار إليه فيما بعد بالإعلان العالمي لحقوق الإنسان) يعد أول اتفاقية دولية اتفقت عليها دول العالم لترسيخ الحريات والحقوق. حيث إن كيفية إيجاز المواد باستخدام اشكال مختلفة من الأفعال الكلامية التي تعمل في صيغة من صيغ الالتزام، هي واحدة من اهم الجهود العميقة لتوضيح ميكانزمات اللغة بشكل منهجي. إذ إن أي فعل في التواصل اللفظي يحمل في طياته رسالة، وبالتالي فإن التواصل لا يتعلق البتة باللغة فحسب، بل وأيضًا بالفعل. إن الفعل الكلامي هو المنطوق الذي يحدث والفعل يدل على فعل. تهدف هذه الدراسة الى عرض الاشكال المختلفة لأفعال الكلام المستخدمة في بنود الإعلان العالمي لحقوق الإنسان. يتم توظيف تصنيف سيرل من ناحية، وتصنيف باخ وهارنيش من ناحية أخرى، في هذه الدراسة من أجل متابعة تطور التوظيف المختلف لأفعال الكلام وتأثيراتها على قوة كل بند. استنتجت هذه الدراسة أن نظريات أفعال الكلام التي تم استخدامها في الإعلان العالمي لحقوق الإنسان لا تطرح رؤى حول الاستراتيجيات المختلفة لإيصال الرسائل في الخطاب فحسب، بل تبين أيضًا ديناميكيات فك رموز المعاني من خلال المعلومات المشتركة بين المتكلم والمستمع. ومع ذلك، خلصت الدراسة إلى أن نظريات أفعال الكلام تضع قدرًا كبيرًا من الثقل على نية المتكلم واحترافية العبارات ناهيك عم كونها غير احترافية على حساب قوى أخرى في التواصل .

الكلمات الدالة: افعال الكلام, حقوق الانسان, نظرية سيرل, نظرية باخ وهارنيش

## 1. INTRODUCTION

The speech act theory is a theory in the philosophy of language which its varied influence has exceeded the confines of the discipline of philosophy as it is presently one of the typical theories that are being considered seriously in the areas of linguistics and communication. There are definite aims beyond the words or phrases when a speaker states something. Austin (in Tsui, 1994: 4) clarifies that speech acts are acts that denote the actions performed by formed utterances. Yule (1996: 47) explains that speech acts are actions which are performed via utterances. Within the same idea, Birner (2013) also remarks that uttering something means doing something. Here, people can perform an action by saying something. Through speech acts, the speaker can transport physical action simply through words and phrases. The conveyed utterances are paramount to the actions performed.

## 2. LITERATURE REVIEW

A reference is prepared to the pragmatic theories in the account done in this study. Therefore, an outline of the two theories (Searle and Bach & Harnish) will be dealt with separately in order to determine the classification of each theory in a desirable and comprehensive manner that serves the analysis of the articles.

### 2.1 Searle's Theory

Searle's theory clarifies communication as a rule-governed process. For him, contributors follow the rules of communication intentionally. Searle (1969) differentiates "illocutionary acts" which he respects as the "complete" speech acts, from "perlocutionary acts" which concern the values or effects of illocutionary acts on hearers. He distinguishes five basic sorts of speech acts; namely: *directives, commissives, assertives, expressives, and declarations.*

2.1.1	Searle's	Classification	of	Speech	Acts
(1)	<b>Assertives.</b>	e.g.: statements, classifications, descriptions, and explanations.			
	<b>Illocutionary Point:</b>	"require the hearer to the truth of the proposition. It is to present the proposition as representing a state of affairs" (Searle 1999: 148).			
	<b>Direction of</b>		<b>Fit:</b>	"word-to-world"	
	<b>Conditions of satisfaction:</b>	"are either true or false".			
	<b>Sincerity Condition:</b>	Belief ("An assertive is always an expression of a belief." Searle 1999:149).			
(2)	<b>Directives.</b>	e.g.: requests, orders, and commands.			
	<b>Illocutionary Point:</b>	"To try to get the hearer to behave in such a way as to make his behavior match the propositional content of the directive" (Searle 1999: 148-149).			
	<b>Direction of</b>		<b>Fit:</b>	"world-to-word".	
	<b>Conditions of Satisfaction:</b>	can be followed, or not, complied with, granted, and so on.			
	<b>Sincerity Condition:</b>	Desire ("Every directive is an expression of a desire that the hearer should do the directed act." Searle 1999: 149).			
(3)	<b>Commissives.</b>	e.g.: pledges, contracts, promises, vows, and guarantees.			
	<b>Illocutionary Point.</b>	For the speaker to require "to undertake the course of action represented in the propositional content" (Searle 1999: 149).			
	<b>Direction of</b>		<b>Fit:</b>	"world-to-word".	
	<b>Conditions of Satisfaction:</b>	can be kept, carried out, or broken.			

**Sincerity Condition:** Intention (Every commissive is “an expression of an intention to do something.” Searle 1999: 149).

(4) **Expressives.** Some examples are: thanks, apologies, welcomes, congratulations, and condolences.

**Illocutionary Point:** "To express the sincerity condition of the speech act" (Searle 1999:149).

**Direction of Fit:** null (for expressives adopt the truth of their propositional content). **Conditions of Satisfaction:** none.

**Sincerity Condition:** diverges with the sort of expressive (e.g., in expressing an apology, the speaker have to feel sorry about what he is apologizing for; in expressing congratulations to someone, the speaker should feel pleased about what he is congratulating the hearer for).

(5) **Declaratives.** e.g.: “I pronounce you man and wife,” “War is hereby declared,” “You are fired,” and “I resign.”

**Illocutionary Point:** “To bring about change in the world by representing it as having been changed” (Searle 1999: 150).

**Direction of Fit:** double: world-to-word and word-to-world (By shifting the world, the direction of fit is world-to-word; by signifying it as having been changed, the direction of fit is word-to-world.)

**Conditions of Satisfaction:** differs (Searle does not specifically argue the conditions of satisfaction of declaratives; but following Austin, we can approximately say that declaratives are either happy or unhappy.)

**Sincerity Condition:** diverges (Certain directives have both desire and belief as their sincerity condition- Fotion 2000: 51).

### 2.1.2 Bach and Harnish's classification of Speech Acts

The system of Bach and Harnish to Speech Act is intention-inference-based. They cope that for speakers to achieve illocutionary acts, it is planned that listeners have the understanding of the acts via MCBs (mutual contextual beliefs). It is their claim, mostly, that the act of conversation or interactional talk has to contain an inferential process. Their expressions, “Speech Act Schemata (SAS)” refers to a predictable part of the inferential process in a communicative occasion. Bach and Harnish distinguish a number of sorts of strategies in the inferential process:

- a. **Locutionary Strategy** – the hearer’s inference from the locutionary utterance or the act and what the utterance refers to in L. This is based on H’s understanding of the language, the LP, the CP and MCBs.
- b. **Direct Literal Strategy** – H concludes from the PL whether or not S means what he says and nothing else. This helps H to recognize the act.
- c. **Literally Based Indirect Strategy** – H relies on the MCBs, CP, and the utterance to decide whether, under any circumstance there is some action associated with the literal utterance.
- d. **Direct Non-literal Strategy** – from the MCBs, CP, and the utterance, H’s understanding of the literal meaning of the utterance, H concludes that S’s utterance necessity be non-literal and indirect since additional act is connected with the overt one which H identifies.
- e. **Non-literally Based Indirect Strategy** – The CP, the utterance, and MCBs clue H to conclude that S’s utterance must be non-literal and indirect since additional illocutionary act is associated with it.

### **3. METHODOLOGY**

A comprehensive analysis of five articles of Human Rights is going to be dealt with using two models: Searle's model on one hand, and Bach and Harnish's model of speech acts on the other. These text will be analyzed with accordance to the different classification of each model.

### **4. DATA SELECTION**

The Universal Declaration included thirty articles detailing the Human rights and freedoms. Five articles from The Declaration of Human Rights are survived. These articles are specified for certain purposes. Thus, the use of different varieties of speech acts is employed in a certain way.

### **5. DATA ANALYSIS**

#### **5.1 Searle's Model**

##### **Article No. 1**

*"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."*

The text mainly functions as an assertion. It offers a statement about the inherent potentials and rights of human beings without directing to command or persuade. The proposition being asserted is that *"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."* This proposition states a belief or a privilege about the nature of human rights and the ethical ideologies governing human interaction.

The importance of the proposition is not overtly evaluated here. However, in Searle's model, the truth or falsity of an assertion would naturally be assessed founded on its correspondence with reality. The intention of the speaker (in this situation) seems to be able to convey an essential belief about human rights and self-worth. The speaker may possibly aim to assert a moral attitude, emphasize the significance of human rights, or inspire ethical behavior.

The perlocutionary consequence of this assertion could contain inspiring reflection on the ideologies of human rights and self-respect, encouragement empathy and solidarity among others, or inspiring individuals to act in harmony with the spirit of brotherhood. The efficiency of these effects would be influenced by the audience's reception and interpretation of the meaning.

##### **Article No. 2**

*"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty"*

The text predominantly works as an assertion. It offers a statement about the rights and freedoms authorized to all individuals without aiming to persuade or command. The proposition being asserted is that *"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind..."* This proposition summaries the principle of likeness and non-discrimination in the satisfaction of rights, regardless of numerous factors such as color, race, religion, sex, or political opinion. The truth significance of the proposition is not overtly evaluated here. However, in Searle's model, the truth or falseness of an assertion would normally be assessed constructed on its correspondence with reality.

The intention of the narrator (or writer) seems to be to assert an essential principle of equality and human rights. The narrator may wish to emphasize the universality of human rights, activist for non-discrimination, or encourage social justice and equality. The perlocutionary effect of this assertion might contain promoting awareness of human rights, adopting a sense of inclusivity and equality amongst the audience, or promising individuals and institutions to sustain the principles of non-discrimination and equivalent treatment. The effectiveness of these properties would be influenced by the audience's reception and understanding of the message.

**Article No. 3**

*"Everyone has the right to life, liberty and security of person."*

The text meanings primarily as an assertion. It states a statement about rights without pointing to persuade or command. The proposition which being asserted is that "Everyone has the right to life, liberty and security of person." This proposition states a claim or belief about essential human rights, namely the rights to life, security, and liberty. The truth importance of the proposition is not overtly evaluated here. However, in Searle's model, the truth or falseness of an assertion would normally be assessed established on its correspondence with reality.

The intention of the narrator (or writer) seems to be to assert the significance of essential human rights. The speaker might aim to stress the universality of these rights, advocate for their appreciation and security, or encourage social justice and individual independence. The perlocutionary effect of this assertion might include promoting consciousness of human rights, reinforcing the value of individual security and freedoms, or promising efforts to protect and support these rights. The efficiency of these effects would rely on the audience's reception and understanding of the message.

**Article No. 4**

*"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."*

The text roles predominantly as an assertion. It offers a statement about the prohibition of slavery and slavery without pointing to persuade or command. The proposition which being asserted is that "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." This proposition states a claim or belief about the prohibition of slavery and mainly the slave trade in all its practices. The truth worth of the proposition is not overtly evaluated here. However, in Searle's model, the truth or falseness of an assertion would naturally be assessed built on its correspondence with reality.

The intention of the narrator (or writer) looks to be to assert the significance of abolishing slavery and servitude. The narrator could aim to emphasize the universal disapproval of these practices, supporter for their prohibition, or encourage human rights and dignity. The perlocutionary effect of the assertion could contain supporting awareness of the determination of slavery and servitude in certain contexts, reinforcing commanding to combat human trafficking and abuse, or inspiring legal and social agencies to uphold human rights and avoid exploitation. The effectiveness of these effects would rely on the audience's reception and understanding of the message.

**Article No. 5**

*"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."*

The text roles as an assertion. It aims to present a statement about the prohibition of cruel and torture, inhuman, or humiliating treatment or punishment without point toward to persuade or command. The proposition which being asserted is that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." This proposition states a belief or privilege about the prohibition of suffering and cruel, inhuman, or shameful treatment or punishment. The truth worth of the proposition is not overtly evaluated here. However, in Searle's model, the truth or falseness of an assertion would normally be assessed centered on its correspondence with reality.

The intention of the narrator (or writer) seems to be to assert the significance of prohibiting cruel and torture, inhuman, or shameful treatment or punishment. The narrator may wish to stress the universal condemnation of such performs, supporter for their prohibition, or encourage human rights and dignity. The perlocutionary effect of the assertion might contain encouraging awareness of the pervasiveness of torture and inhumane behavior in certain contexts, reinforcing the commanding to prevent such abuses, or inspiring legal and social agencies to protect human rights and avoid torture. The effectiveness of these properties would rely on the audience's reception and explanation of the message.

## **5.2 Bach and Harnish's Model**

### **Article No. 1**

*"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".*

The illocutionary force of this text is predominantly assertive. It wishes to assert a certainty about equality and human rights without necessarily marking a command or persuade. The locutionary act involves the literal importance of the words recycled in the text. It states that "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." The statement carries a truth about human nature and ethical values.

The perlocutionary effect denotes the intended effect on the hearer or audience. In this case, the text may purpose to inspire consideration on human rights and equality, raise a sense of solidarity and empathy, or encourage ethical manners towards others. The speaker's intention after the utterance might be to advocate for the appreciation and safety of human rights, encourage social justice and equality, or encourage moral behavior. The way we understand the context in which the speech act arises is essential. The text seems to be a statement of ideologies, possibly engaged with a declaration or evident to supporting for human rights and equality.

### **Article No. 2**

*"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."*

The illocutionary force of this text is predominantly assertive. It aims to assert an attitude or belief about equality and human rights without essentially aiming to persuade or command. The locutionary act contains the literal sense of the words employed in the text. It states that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind..." This statement carries an attitude of non-discrimination and equality in the satisfaction of rights.

The perlocutionary effect denotes the intended effect on the addressees. In this case, the text might aim to encourage awareness of human rights, substitute a sense of equality and inclusivity, or inspire act to uphold these values. The speaker's intention behind such utterance might be to activist for the recognition and security of human rights, encourage social justice and equality, or inspire faithfulness to ethical values. The way of understanding the context in which the speech act employ in is fundamental. The text seems to be a statement of moralities, probably taken from a declaration to advocating for human rights and equality. It might be addressed to a wide-ranging audience or certain stakeholders constructed in human rights advocacy.

### **Article No. 3**

*"Everyone has the right to life, liberty and security of person."*

The illocutionary force of this text is predominantly assertive. It asserts a value or belief about human rights without pointing to persuade or command. The locutionary act contains the literal sense of the words used in the text. It states that "Everyone has the right to life, liberty and security of person." This statement carries a essential principle of human rights. The perlocutionary effect denotes the intended effect on the listeners. In this case, the text could aim to encourage awareness of human rights, raise a sense of prominence regarding the rights to liberty, life, and security, or encourage action to protect and sustain these rights.

The speaker's intention behind this utterance might be to advocate for the appreciation and security of human rights, encourage social justice and individual self-sufficiency, or stress the inherent worth and dignity of any individual. The way of understanding the context in which the speech act employs is crucial. The text looks to be a statement of values or a declaration concerning human rights. It might be addressed to a broad audience or certain stakeholders involved in human rights encouragement.

### **Article No. 4**

*" No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."*

The illocutionary force of this text is mainly assertive. It asserts an attitude or belief concerning the prohibition of slavery acts and servitude without pointing to persuade or command. The locutionary act contains the literal sense of the words employed in the text. It states that "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." This statement carries a principle of human rights and mainly social justice. The perlocutionary effect denotes the intended effect on the listeners. In this case, the text might aim to increase awareness about the perseverance of slavery and servitude, raise a sense of outrage or disapproval toward these practices, or encourage action to eliminate slavery and protect human rights.



The speaker's intention behind such utterance could be to activist for the eradication of slavery and servitude, encourage social justice and importantly human dignity, or stress the universal condemnation of such practices. Considering the way of understanding the context in which the speech act occurs is fundamental. The text seems to be a statement of ideologies or a declaration concerning human rights, probably aimed at stressing awareness about modern forms of slavery and servitude.

**Article No. 5**

*"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."*

The illocutionary force of this text is predominantly assertive. It asserts an attitude or belief about the prohibition of inhuman, torture and cruel, or humiliating treatment or punishment without pointing to persuade or command. The locutionary act entails the literal sense of the words employed in the text. It states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." This statement bears a principle of human rights and the prohibition of torture and humiliating treatment. The perlocutionary effect refers to the intended influence on the listeners. In this case, the text might aim to increase awareness about the frequency of torture and inhumane treatment, raise a sense of outrage or disapproval toward these practices, or inspire act to prevent and reject torture and humiliating treatment.

The speaker's intention behind this utterance may be to advocate for the annihilation of torture and cruel treatment, encourage respect for human rights and dignity, or accentuate the universal condemnation of these appeals. Considering the context in which the speech act employs is crucial. The text seems to be a statement of values or a declaration regarding human rights, probably aimed at stressing awareness about the tenacity of torture and inhumane behavior globally.

**6. CONCLUSIONS**

Concerning Searle's model of speech acts and Bach and Harnish's model of speech acts suggest different viewpoints on analyzing human rights articles.

- 1. Concentrate on Illocutionary Force:** Searle's model underlines categorizing speech acts built on illocutionary force, such as expressive, assertive, directive, declarative, and commissive. Bach and Harnish's model emphasizes the illocutionary act, regarding the literal meaning of the words employed, the speaker's intention, and the perlocutionary effect on the audience.
- 2. Behavior of Propositional Content:** Searle's model often includes analyzing the truth worth of the proposition asserted in the speech act. Bach and Harnish's model inclines to focus more on the locutionary act, concerning the literal sense of the words used in the text, rather than valuing the truth worth of the proposition.
- 3. Perlocutionary Effect:** Both models regard the perlocutionary effect, but Bach and Harnish's model gives more emphasis on it, concentrating on the intended effect of the speech act on the listeners. Searle's model might consider the perlocutionary effect as part of investigating the overall communicative intention behind the speech act, but it might not be as dominant to the investigation as it is in Bach and Harnish's model.
- 4. Speaker's Intention:** Both models regard the speaker's intention behind the speech act, but Bach and Harnish's model might give more weight to considerate the speaker's intended

effect on the listeners. Searle's model might focus more on classifying the speech act based on the speaker's intended illocutionary force.

5. Contextual Consideration: Both models admit the importance of context in the way of understanding speech acts, but Bach and Harnish's model might give more weight on it, particularly considering the perlocutionary effect and the speaker's intention.

6. Searle's model may regard context predominantly in terms of how it effects the illocutionary force of the speech act.

To summarize, while both models suggest frameworks for investigating speech acts, they vary in their emphasis on illocutionary force, dealing with propositional content, attention to perlocutionary effect, assessment of the speaker's intention, and contextual attention. These differences could lead to differences in the analysis of human rights articles, with each model given unique insights into the communicative features of such texts.

### **Appendix**

*Article* 1

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. "

*Article* 2

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."

*Article* 3

"Everyone has the right to life, liberty and security of person."

*Article* 4

"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

*Article* 5

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

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