The Subjective Properties of Arabic Speech in the Criminal Legal Proof

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Abstract

This study deals with the subjective properties of Arabic speech in legal proof, it is a sophisticated legal mechanism, adopted by many developed countries such as America and Britain,it can be relied upon in Arab courts to reveal the perpetrators or the accused by determining their verbal style and their linguistic specificity.This was done by identifying the term intrinsic property of speech, its concept, and its extensions, and revealing its mechanisms, it is a modern concept that reveals the peculiarity of Arabic speech that indicates the speaker and determines the characteristics of his speech, this is done through the verbal lexicon, i.e., what the individual's linguistic lexicon reveals, everyone has a special lexicon which he cannot usually leave.Then comes the verbal image, which is the way the speaking individual finds his own images according to his environment and cultural data and merging his vocabulary to create special images through which he expresses what he wants, speech rhythm is the speaker's way of choosing the rhythm of his speech and his music, which are special tones that indicate their owner.The verbal structure is the writer's method in selecting the structure of his sentences and its mechanisms in a paradox of the traditional arrangement of the Arabic sentence in advance, delay, shortness, length, and many others.

Keywords: Speech, Subjective Properties, Speech (speech) Dictionary, Picture, Rhythm, Structure.

Introduction

Methods for detecting criminals and offenders are progressing steadily, and this progress has included the speaker's style and his way of performing his phrases, vocabulary and sentences, it is a modern method adopted by many countries in detecting the accused and the perpetrators, However, this technique has not been generalized in the Arabic language due to the lack of research and

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studies that have gone into this experienceand revealed the characteristics of Arabic speech.Hence, the importance of this study stems from the fact that it stands on the role of the subjective properties of Arabic speech in legal proof, it reveals the features of the Arabic speaker's speech and its self-referential characteristics and determines the identity of the accused or the offender through his verbal performance.It is an original study that aims to cross the traditional borders of disciplines, which would link the various applied academic fields through the merging of law and language and their different schools of thought and science, and then arrive at valuable results that serve both. the problem lies in the extent to which the performance of the Arabic speaker is adopted as a means of legal proof, as it is a new science that has not been tried in Arab courts, which poses a number of questions, such as what the concept of the subjective characteristic of speech is,What are its limits, what are its mechanisms and procedures, and the answer to these questions may be a solution to this problem.Among the previous studies on which the case study relied is the study of Saleh Al-Osaimi, Forensic Linguistics: Its Definition, Fields and Applications, King Abdullah bin Abdulaziz International Center for Arabic Language Service, 1441.And the study of Ahmed Nour El-Din in Arabic, Judicial Linguistics in the Arab World, Laboratory of Language, Literature and Translation, Al-Athar Journal, No. 29, December 2017. In this study, the authors relied on the practical descriptive approach, by reviewing and analyzing the characteristics of Arabic that reveal about the same speaker.From here came this study in two sections, the first of which stood on the terminology of the subjective characteristic, its concept, and its extensions. The second showed the techniques of the subjective characteristic of speech in the Arabic language, through the verbal lexicon, verbal image, verbal rhythm, and verbal structure.

Self-verbal property, concept, and extended domain.
The subjective property of speech: expression and concept.

  The expression "The subjective properties of speech" goes back to its special effect of person words i.e., the person's verbal behaviour and his own way of expression and his way of performing speech. And the vocal, visual, social, psychological, and cultural characteristics that make the language of a person distinctive and at the same time connected to a certain lawsuit. Speech is the picture of the language that takes place when used by a certain individual in a certain case, where this use agrees with the general system (the language) in its basic characteristics, but the details differ from person to person and from case to case (Ferdinend, 1982). Each individual has a certain way in language performance, starting from his distinguished dictionary, going through his special

pictures and rhythm, and ending with his speaking structures, and they all take form stemming out of the psychological, social, and cultural status of the speaker.

Therefore, the subjective property of speech targets the discovery of an individual's talking traits in a scientific way by watching whether limits are exceeded in the text of the speaker, and monitoring speakers' deviation such as repeating a certain sound or a refrain or avoiding the usual order of sentences. Doing all this to discover the intent of the speaker, his thinking features and whatever behind his words and context like meaning and insinuation for the sake of providing service to the law to reach evidence that helps in solving cases where language is a part of the evidence.

judicial Applications of the Subjective Properties of Speech.

It can be invested in several judicial applications and fieldsto discover criminals, exonerate suspects, and relate facts to pertinent people, where such fields are:

Revision of the language of some law texts like wills, petitions, and legal documents by analyzing heir texts, lexical and lingual and contextual meaning to deduce the fingerprint of its lingual maker.

It can also be beneficial in discovering terrorists and all that is related to them by studying their written and verbal texts – scientifically - and discover whatever lingual insinuations and symbols they may carry and refer to whom they belong.

Phone calls are a fertile field where a speech fingerprint may be effective and lead to probable criminals by deducing lingual information that relate to certain persons or specific traits. Analysis will be by watching repetitive words and expressions and manners adhesive to the speaker and refer to his status and personal characters.

The subjective property of speech is also beneficial in discovering offensive messages like ransom messages, threatening messages or suicidal messages written to cover the real criminal or written under threat to swayinvestigators from the actual criminal or conceal a crime suspicion.

The subjective property of speech can also be used to discoverpropertyrights(as patent)plagiarism and imposter, where written and spoken, materials are examined to discover the real author. Of the most prominent cases, is the case of the morphemicword (MC) in the restaurant chain of McDonalds and the hotel chain ofMcSleep. (Abdulmajeed, 1982)

Subjective Property Technicalities in the Arabic Judicial Applications
The Subjective Property of Speech.

Every person has his own way of speaking, and the words are issued by layers of desire and unconsciousness (Umar, 1982). The essence of a human lies in his language (Abdulmajeed, 1982)because language expresses the individual's unconsciousness where self-reactions and struggle appear, and it was detailed by Jack Lankan: unconsciousness is the fundamental source of language, and it is designed in a human in the same way as language, it has its laws and its expression structural rules and essential traits, therefore they are alike. As ascertained by lingual psychology, there is unity between the text creator and his lingual style where they are inseparable to the point where they can discover the interior and hidings of the author (Fathallah, 2014) i.e. "for every style there is a special picture tied to the author expressing his way of thinking, how he sees things and how he explains them, and the nature of his reactions" (Al-Shaieb,2018).The difference in the details of one's desires and his unconsciousness translate the difference in his expressions.

It is imperative that the specific unconsciousness of each individual and his deviations in his mental and psychological life from the unusual is essentially an adherent lingual deviation from the usual (Willik, 1972), and this is called a "style deviation", a deviation outside the will of the author emanated by the aesthetic justification and psychological and social intentions(Fathallah, 2014)that compel the speaker to fabricate his special way of expression, and here appears what is called "style character" which means that the lingual text will be full of special "clues" that refer to the author and will be a mark that refers to him. Therefore "style character" distinguishes an author from another, and a language expert can reveal him by notice and measure (Elson, 2009).

Therefore an experienced linguist is needed to analyze thesubjective property of speech, a specialist of complete knowledge of the basis of language science, theories and technicalities and capable of dealing with other branches and domains of language like theories of language learning (acquisition) and science of dialects, and speech analysis, acoustics (sound science) and science of stylism, law language and applications etc. in order to reach the background of the speaker as an individual not the background of the individual as anspeakers.

Technical Elements of a Speech Fingerprint in Judicial Applications.

There are technical elements and technical tools that the speechfingerprint relies on in judicial applications, and the West specialized in many of them, as a pioneer in this field, and they have the upper hand in establishing this science.

Verbal (speech) Dictionary

The speaker depends in his speech dictionary on the continuous choice of lexical words either from the vertical axis i.e. (synonyms) or the horizontal axis represented in composition, where it is a choice that represents the soul and its essence, because a person's choice is a piece of his heart.

Arabic can be invested - for what it provides in the field of lexicography-in Arabic judicial applications to discover the subjective property of speech of criminals through reverting to what is called "indicative fields" that contain a group of words related in meaning and being put under a general word that unites them. The words that indicate color are red, blue, green etc. can fall within the indicative field (color) (almusdi, 1982) where the indicative field is an integral sector of language that explains a specific field – that is perfectly united by the lingual vocabulary – equal or similar to a specific field of experience (De suser,, 1982), every speaker is dominated by special words stemming from his cultural, social, psychological and work status whether he likes it or not. When the speaker is an employee in a certain field, his speech dictionary will be a reflection to these indicative fields, where a good linguist will make advantage of it.

If the person is revolting and fearful of being broken, his speech dictionary will be full of what he fears of reasons of breaking, and the following vocabulary dominate the speaker in this text:"whoever fought in the past, who your fathers fought, who your ancestors fought, who your brothers were martyred in the past, and who your children were martyred".

The author is insurgent and revolting.

The author is of high education and of good knowledge

The author is leader.

The author is of special and definite belonging.

The author hates submission and slavery

From the shadow of these chosen and harmonious words we were able to create a vision about the personality of the speaker.

Arabic also provides the possibility of identifying a person from his speech dictionary through lexical structures that indicate certain meanings, through which the criminal's traits and identity can be recognized as:

The domination of nouns rather than verbs indicates that nouns give the adherence of the trait to the person, and it is permanently characteristic of him, while a verb indicates renewal and happening, and it is time restricted …..Giving a description by a verb is notunchangeable, because the description disappears as the time changes(Akashah, 2005). This means that a noun is stronger in indicating than a verb.

The phrase (they are doing) indicates insurgency or rejection by the conscious or unconscious state of the speaker because the phrase (they are doing)

indicates abundance – mostly.The present participle and the adjectiveindicate unchangeability which is continuity and must. Description continuously adheres to the person being described and using the previous phrase (they are doing) in description is stronger than a description using other derivatives (Akashah, 2005).

Many contents can be invested to discover their author by statistics, where statistics is ofan important role in calculatingthe ratio of spreading of such contexts, where a high ratio of spreading of a certain context indicates the domination of the indications mentioned in a particular text, and it is an indication to the personal character that dominates the author which finally leads to the discovery of his personality. Experts may compare the ratio of spreading in the text under study with the ratio in the text of the suspect in order to identify the characters of the suspect or the criminal, especially in the presence of a referential lexical material that is characteristic of the criminal regarding the type of text and the metaphorical enhancers and dialect and speech and means of communication, and if the happening is formal or informal, and the origin of the composition (Alfakhoury, 1999).

The accused or the offender can also be detected by tracing his linguistic lexicon by counting the number of verbs (event or action) and the number of adjectives, that is, words that express a distinctive characteristic of something. In this equation, the number of words belonging to the first type, and the number of words of the second type and extracting the product of dividing the first group by the second group, from the adjectives the noun of the subject and the noun of the object what does the action of the verb, and from the verbs are incomplete verbs and acts of praise and slander and what lacks a clear expression of the event (Maslouh, 1980).The equation becomes as follows:Verb to adjective ratio = number of verbs ÷ number of adjectives.This theory can be described as (nfs), and the equation includes all verbs except for the following: incomplete verbs (was and its sisters unless they are used in full), inanimate verbs such as yes and bad, and initiating and approximating verbs such as cad and its sisters, (Maslouh, 1980), as for the adjectives, the sentence that falls in the traditional grammar came out as an adjective, whether it was a verbal or nominative sentence, or a semi-sentence related to the omitted.s for the adjectives, the sentence that falls in the traditional grammar came out as an adjective, whether it was a verbal or nominative sentence, or a semi-sentence related to the omitted. The methods that are characterized by high (NFS) and the corresponding features that are characterized by low, can be distinguished as follows:

high Ratio Methods (NFC)	Low Ratio Methods (NFC)
Spoken speech	Written speech
texts dialects	classical texts

Poetic texts of prose	prose
Literary works (short stories, novels, and plays)	scientific works
Literary prose	
	journalistic prose (news, article, and commentary)
Stories of fairies	folk tales
Literary works in youth by an author	Literary works by the same author in old age
Women's literature	Literary productions by male authors
Narrative	monologue and description
monologue	dialogue

We can determine the speech-to-speaker ratio by tracking the high ratio (NFS) in the text presented for analysis. The high ratio in the spoken speech differs from its written counterpart, and dialect texts differ from the classical texts, including what is related to the content, and age and gender affect in terms of the high value of the text. (NFS) is linked to the periods of youth and is evident in women, and depreciation characterizes the stage of old age and is apparent in men. We can conclude the following results:

The value of (NFS) gradually decreases with advancing age stages.

- The value of (NFS) tends to increase in texts that express biography and that are based on storytelling and talking about memories, while it decreases in texts that deal with scientific or social issues, which indicates that the subject has an impact in determining the value of this equation.

- The ratio (NFS) is not characterized by stability at the same originator, as it varies according to the subject. By applying the Bozeman scale, the research ends with the following:

- The decrease in (NFS) in monologues and relatively long conversations, and its increase in dialogue and short lively conversations, meaning that the high value of (NFS) is linked to the lack of monologues and the prevalence of the character of dialogue, and its decrease is linked on the contrary to the dominance of monologues over dialogue.

The degree of diversity (NFS) can give a statistical indication, so that an increase in the degree of diversity (NFS) is linked to the vitality of the characters, and a decrease in its degree is linked to the stereotyping of the characters and the paleness of their linguistic distinction.

Finally, we conclude that the value of (NFS) rises in the dialogue and decreases in the narration, and there are two factors that affect the rise and fall of

this value: age and gender, and the lack of differentiation between narration and dialogue and the absence of differentiating features between these two levels leads to a disturbance in the value of (NFS). , but if the dialogue is focused theatrical, this leads to the regularity of the ratio of verbs to adjectives, and in addition to the influence of the factors of age and gender on the value of (NPH), there is a third factor that affects its value and tends to benefit, which is the emotional crisis. In psycholinguistics, the measurement can be used to determine the degree of emotion and the degree of emotional balance, and in relation to the originator, this scale is useful in determining the author's gender and personality.(Maslouh, 1980).

The Verbal Pictures

The picture is a lingual structure, its essence is drawing with words full of sensation and sympathy (Allathiqani, 1997), where the speaker either an individual or a nation collects the external and diverse realities of the universe and unites them, then recreates them according to psychological vision that is deep and expressing of an ideological and sensational standpoint using words and certain descriptive artful shapes. Psychology ascertains that the picture of a speaker is the basic contribution of his unconsciousness(Almi, 2007), and it reveals his bias and his psychological status and whatever is characteristic like strength, aggression, weakness, and familiarity. Pictures for the speaker usually come from his use of metaphors and similes to convey a meaning to the listener, and these similes and metaphors are usually available from cultural sources and environmental sources that have penetrated the speaker's entity and psychological structure, which the speaker has lived through by experience, vision or feeling, and by hearing about them, and they are of two types. Inanimate natural resources such as the sun, plants, and liquids, and moving nature such as animals, birds, etc. There are cultural sources formed by the speaker because of his readings and knowledge, and all these sources must appear in the words of the speaker whether he likes it or not, which is what the linguistic investigator relies on in trying to identify the perpetrators from their words. The extent to which the speaker focuses in his speech on one of these particles, his tendencies, nature, traits, and qualities are evident. The images that are characterized by strength and fierceness are not like those characterized by silence and familiarity.

The subjective speech characteristic can be accessed through the verbal image by analyzing the two levels of the verbal image and explaining that it has two levels of effectiveness: the semantic level (semantic function), which is a direct superficial level, and the psychological level (psychological function), which is an implicit level that is discovered through correlation or conclusion.

Arabic language provides in the field of pictures better capabilities because it is an indirect language, and clearly full of metaphor. An example from Arabic is a sentence by a suspect "the moon is a round face" and another says, "the moon is a round loaf of bread" The two expressions say in the indicative level that the moon is round, and the face and the bread loaf are round, while the two pictures are completely different, they refer to two different kinds of information that can be called"implications". The first picture implies that the speaker is describing the moon as a beauty using a traditional and common relationship between the face and the beautiful moon. The speaker also refers to the feeling of the speaker towards both subjects, the face, and the beautiful moon. The other picture may imply a particular feeling the speaker bears towards bread, he may be hungry. It is probable that this implication is unconscious and unintentional. In other words, when the speaker created the picture, he wasn't willing to tell us that he was hungry, but he wanted to say that the moon is round, though his picture revealed all his existential status. This character may represent one side of the effectiveness of the picture which may be called the psychological level. (Abu Deeb, 1984). This can be invested in judicial investigations because every person describes the belongings of his house nothing more.

Verbal Rhythm

Most musical theories ascertain that the rhythm strikes in the depth of the human's personality, it doesn't come out as sound only; it comes out charged with a bundle of excitements and feelings that affect the personality in this situation or that (Khaleel, 2019) Therefore the diversity of sounds is a physical result of the diversity of feelings, (Tomass, 2014) and rhythm in reality is a rhythm of feelings, reactions and sensations, or it is the soul of the speaker that creeps into the text, and it depends on the psychological activity of the speaker (Framon, 1973).

Arabic language provides another rhythmic capability to reveal self-verbal property of criminal. This comes in two kinds of rhythm: external rhythm and internal rhythm. The external rhythm is represented by the syllable defined by linguists as a vocal mass that can be pronounced separately and independently of what is before and aft of it, i.e., it is preceded and followed by complete silence.

The mass must be of two sounds at least, a consonant followed by a vowel. Language science suggests that this is the simplest vocal unit (phoneme) and it is of many kinds according to sounds that constitute it(Framon, 1973). Syllables in Arabic are not more than five kinds, the first is of two sounds, a consonant and a short vowel (ba, bi,bo) and it is called a short syllable. The second is of two sounds, a consonant, and a long vowel (ba as in bar, bee, boo) it is called a long and open syllable. The third consists of three sounds, a consonant

and a short vowel and a consonant (mum, mim, mom) the fourth is of three sounds, a consonant followed by a long vowel and a consonant (man, meen moon) the fifth is of four sounds, a consonant, a vowel and two consonants (Tifl = Child). For convenience a consonant is denoted by letter "c" and a vowel is denoted by letter "v". It should be known that the most common syllable in Arabic is the medium closed syllable (cvc), but when the speaker deviates from the common, his deviation will be of special indication and meaning, as when the short syllable (cv) dominates the speaker. This indicates the enthusiasm of the speaker and indicates a flux and a fast performance and inclination towards simplicity of beat. The domination of the open medium syllable (cvv) indicates an extended breath. Then we perceive that each vocal rhythm is generally subject to a strict physiological law which is the law of breath (khleel, 2019).An example is the violent or insurgent speaker whose texts are dominated by short and medium syllables, and this can be verified by the phonetic syllables of the following Arabic transliterated sentences of insurgence characteristics.

The internal rhythm indicates lingual and vocal qualities, and the structure comes from the music of internal language: its tone and the unison of letters and what it may achieve with other vocabulary words and expressions either in alliteration, synonymy, antonymy, parallelism, or repetition etc. An example on internal rhythm is the "tone"as being the echo of letters and vowels with their different exits, syllables, and vocal undulation during pronunciation and whatever happens like stressing, loudness, whispering, grandiloquence, and elision. It is possible to indicate the role of a tone through revealing loudness and whispering of the speaker. A loud voice is accompanied with the vibrations of the vocal cords, (mizian, 2004), where the larynx uses the air coming out of the breathing tract during exhale by pushing strongly with fast and increasing movement of the vocal cords, so the words come out high and loud. (Shahata, 1972). What move the cords are the involuntary muscles which receive orders from the neurons(nerve cells) that feed the larynx, and these receive orders from the brain (Shahata, 1972).Which means that the brain is the organ that chooses this loud voice for the convenience of its role (Al-sadani, 1987). Vibrations happen so fast as a result of stressing the cords, where"fast" means that there is direct trade between the transmitter and the receiver, and this requires effect and response. Sound in the case of loudness only happens after being impregnated in the brain and the neurons in two operations, fast response, and fast effect, which means that a loud voice expresses a fast excitement, mostly(Al-sadani, 1987),while considering that the number of loud voices in Arabic is 15 compared with 12 whispery voices. The ratio is 55.5% to 44.4% typical of Arabic speech.However,

the percentage of attendance of these voices in the following text amounted to 73.9% for voiced votes to whispered votes, which amounted to 24.1%:

"O free people, let everyone remain in his place. My blood is for you; my life is for you."

An inspection of the previous phrase after analyzing it revealed that the voiced letters increased by an increase of 18% over the percentage that the linguistic reality should be, and the reason for this rise was the intensity and severity of the speaker, which made the percentage of loud voices rise at a speed proportional to the speed of vibration of the string in the case of loudness, when It has sway, ears are ringing loudly, and nerves are awakened with their noise compared to whispering.

Verbal Structure

The lingual system for any language is tied to a great extent with the psychological and environmental and educational structure of individuals who speak this language. And because the natural order is an element of the lingual system and deviating from it or violating it – within what the grammar of the used language allows – by individuals is evidential of the changes that happen to the psychology of the speaker within incentives and goals in the mind of the speaker either intentional or unintentional. This is what makes the speaker'sverbal structure reflect his picture, and this is proved by language style studies through several structural elements like advance and delay and deletion and the way of reverting the verb to its infinitive, and sentence structure and joining words and the stylistic deviations from the ordinary level of composition to the speaker's choice.

Examining Arabic language structure provides new opportunities for identifying the self-verbal property of suspects by analysis of textual structures like (allusion) which means going from a meaning to another or from a pronoun to another or from style to another (Suliman, 2019). It is a technicality that the speaker reverts to looking for escape (exit), or trying to make his language more stinging and provoking, so he goes from normal talking to speech (sermon),or talk about the third person (dishonor him in absentia) or talk about a female instead of talking about a male:

"I was hoping that things would not reach killing, but he resorted to that, and disregarded all values."

The speaker switched from the speaker's pronoun (I was) to the pronoun of the absent (he), to escape from the mention of the victim, perhaps to be ashamed of him or ashamed of what he had done.

Stacking is another stylistic character that can be used in discovering the verbal fingerprint where it provides a dense and effort saving role, because it gets red of a possible expansion of sentences and successions (Mohammad, 1999). The stack of words sometimes comes without the presence of joining words, where omitting a joining word represents haste and firmness, and when the speaker is hasty his words come short as follows:

How much I hate you, you wasted my dreams, days, the golden years.

On the contrary the joining word comes to reveal a sensation of slowness, stagnation, and firmness, so when the speaker is relaxed, his words come with separators and joining words indicating his slowness and relaxation:

How much I hate you, you wasted my dreams and my days, and not to mention my golden years.

Conclusions

The study concluded that verbal imprinting is a modern legal concept that has been developed by the rapid development of forensic linguistics and in response to an urgent criminal reality.Arabic has provided this feature to its adherents, and this was done by tracing the lexicon of the speaker,as it turns out that the speaker cannot leave his linguistic features, he is forced to use specific vocabulary, which allows the linguistic investigator to be able to relate the speech to the speaker.Speech rhythm is also an ideal means of determining the proportion of speech to the speaker. Through the speaker's tone and intonation, and the division of his speech and music, the author of the speech can be reached.The verbal image is a means through which the relation of speech to the speaker can be reached since it stems from the structure of the speaker and his circumstances. Speech structure is a characteristic indicative of the speaker, in which the speakers differ in terms of sentence structure and structure, in terms of introduction or delay, length and shortness of sentences, and many other things.

Recommendations

- Consider applied studies in the self-verbal property as a new science that the Arabic library lacks and still need a lot of these studies.

- Establish research centers specialized in self property in the Arab world.

- Adopt theself-property in Arab courts and police departments and criminal evidence sections.

- Qualify language experts, policemen and investigators in the science ofself-property and train them on how to extract it, and carefully register it as basic evidence or secondary evidence.

- Introduce verbal analysis devices (spectrometers) for processing verbaldata to be used as legal evidence.

- Develop electronic devices capable of sorting linguistic fingerprints and process-related data.

- Introduce study materials or curricula that join language to law in Arab universities as fundamental materials and benefit from the experience of foreign countries.

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