Speech acts

Chris Potts, Ling 130a/230a: Introduction to semantics and pragmatics, Winter 2023

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1 Overview

This handout is about doing things with words: the stable conventions surrounding how we signal to others that we intend to perform specific speech acts, the nature of those speech acts, and the effects those speech acts can have. It's a highly uncertain, context-dependent process that has important social and legal consequences.

2 Locutionary act

A **locutionary act** is an instance of using language. (This seems mundane, but it hides real complexity, since it is all wrapped up with speaker intentions.)

3 Illocutionary act

An **illocutionary act** is an act performed **merely** by (in) saying something. Examples:

(1) assert, question, exclaim, threaten, promise, apologize, command, warn, suggest, request, wager, object, christen, marry, bequeath, ...

The **illocutionary force** of an utterance is another name for the act behind that utterance. For example, an utterance might be said to have the force of a question or a promise.

3.1 Direct encoding of illocution: testing with *hereby*

If *V* is a verb phrase describing the act in question, can we report an utterance of 'I (hereby) V' by saying 'He Ved'? If yes, V describes an illocutionary act. If not, it describes (at best) a perlocutionary effect.

(2)
a. I hereby promise to bring candy to the last class. (a promise)
b. I hereby fry an egg. (not an egg-frying)
c. I hereby insult you. (not an act of insulting)
d. Your cooking is terrible. (might be an act of insulting)

4 Sentence types and illocutionary force

Sentence types are syntactic characterizations of certain clusters of clause-level properties. There is considerable variation in the relationship between sentence types and illocutionary force, and thus there is a great deal of uncertainty around making inferences about illocutionary force.

Sentence type	**Examples**	**Force**
Declarative	Turtles are amazing.	assertion
	I wonder where Kim is.	question
	You should move your bicycle.	suggestion
	You can have a cookie.	invitation
	It would be a shame if something happened to your store.	threat
Interrogative	Is today Tuesday?	question
	What day is today?	question
	What on earth are you doing?	accusation
	Do you want to have ice-cream?	invitation
	Could you help me?	request
Imperative	Move your bicycle!	command
	Have a cookie.	invitation
	Please rain!	plea
	Get well soon!	well-wish
	Turn right here.	request

4.1 Sentence type conventions

What we want is a theory that embraces all of this variation while still capturing the underlying regularities between clause types and intended illocutionary acts. Lauer & Condoravdi (2010), Condoravdi & Lauer (2011), and Lauer (2013) have proposed a framework for making sense of this situation. The central idea is that sentence types are associated with conventions of use. These are broad statements about the kinds of things we're allowed to do with sentence types.

(3) **Declarative convention**: If a speaker S utters a declarative sentence with propositional content p, then S thereby commits to acting as though she believes p.

(4) **Imperative convention**: If a speaker S utters an imperative with content p, then S thereby commits to having an effective preference for p.

(5) **Interrogative convention**: If a speaker S utters an interrogative with content Q, then S thereby commits to a preference for the hearer to commit himself to acting as though he believes an answer to Q.

The basic idea is that illocutionary force varies widely, whereas the core sentence-type conventions are more dependable. They explain the consistency of our intuitions about how sentence types should be used, while also explaining the wide variation we see in the associated acts.

4.2 Properties of illocutionary acts and illocutionary force

From Mitchell Green's entry on speech acts in the Stanford Encyclopedia of Philosophy (Green 2007); see also Searle 1969; Searle & Vanderveken 1985.

i. *Illocutionary point*: This is the characteristic aim of each type of speech act. For instance, the characteristic aim of an assertion is to describe how things are; the characteristic point of a promise is to commit oneself to a future course of action.

ii. *Degree of strength of the illocutionary point*: Two illocutions can have the same point but differ along the dimension of strength. For instance, requesting and insisting that the addressee do something both have the point of attempting to get the addressee to do that thing; however, the latter is stronger than the former.

iii. *Mode of achievement*: This is the special way, if any, in which the illocutionary point of a speech act must be achieved. Testifying and asserting both have the point of describing how things are; however, the former also involves invoking one's authority as a witness while the latter does not. To testify is to assert in one's capacity as a witness. Commanding and requesting both aim to get the addressee to do something; yet only someone issuing a command does so in her capacity as a person in a position of authority.

iv. *Propositional content conditions*: Some illocutions can only be achieved with an appropriate propositional content. For instance, I can only promise what is in the future and under my control. I can only apologize for what is in some sense under my control and already the case. For this reason, promising to make it the case that the sun did not rise yesterday is not possible; neither can I apologize for the truth of Snell's Law.

v. *Preparatory conditions*: These are all other conditions that must be met for the speech act not to misfire. Such conditions often concern the social status of interlocutors. For instance, a person cannot bequeath an object unless she already owns it or has power of attorney; a person cannot marry a couple unless she is legally invested with the authority to do so.

vi. *Sincerity conditions*: Many speech acts involve the expression of a psychological state. Assertion expresses belief; apology expresses regret, a promise expresses an intention, and so on. A speech act is sincere only if the speaker is in the psychological state that her speech act expresses.

vii. *Degree of strength of the sincerity conditions*: Two speech acts might be the same along other dimensions, but express psychological states that differ from one another in the dimension of strength. Requesting and imploring both express desires, and are identical along the other six dimensions above; however, the latter expresses a stronger desire than the former.

5 Perlocutionary effect

A **perlocutionary effect** is an additional effect that comes about through performing an illocutionary act. "[T]he effect that a speech act is likely to have on others" (Solan & Tiersma 2005:26). (Of course, perlocutionary effects are only partially under the speaker's control; I might intend my utterance to have one effect, only to find that my audience perceived a very different one.)

6 The Bustamonte Case

> Why, indeed, would any rational person ever agree to let the police search his possessions? At best, you will be forced to stand by and wait while suffering the indignity of having a stranger ransack your personal belongings. At worst, the police will find incriminating evidence and use it to send you to prison. (Solan & Tiersma 2005:37)

6.1 Legal background

The Fourth Amendment prohibits "unreasonable searches and seizures". This means that the police must obtain a warrant showing probable cause, unless there is evidence that a crime is in progress. Cars are treated somewhat specially[1] but, even there, the exception is triggered only if there is evidence that a crime is in progress. Thus, absent a warrant or in-progress crime, police must ask for permission to search a car, and the occupants must "freely and voluntarily" consent.

6.2 Context

Joe Gonzales (driver), Robert Bustamonte, Joe Alcala (brother of car's owner), and a few other young men were driving in Sunnyvale. They were stopped by Officer James Rand on the grounds that something was wrong with a headlight and the license plate light of the car. Two other policemen arrived, for a total of three on the scene.

(6) Rand: Does the trunk open?
Alcala: "Yes" (then he gets the key and opens the trunk)

The officers eventually found stolen checks in the trunk of the car, linked to Bustamonte.

6.3 Consequences

Bustamonte appealed on Fourth Amendment grounds. The case climbed up through the courts, until the Supreme Court ultimately decided that the search was constitutional.

6.4 Linguistic analysis

i. What was the intended illocutionary force of Rand's utterance?
ii. What did Alcala likely perceive the force of Rand's utterance to be?
iii. What perlocutionary effect did Rand's utterance have on Alcala?
iv. What was the degree of strength of Rand's utterance?
v. What is the role of preparatory conditions in our understanding of this discourse?
vi. What role might the maxims have played in shaping Rand's utterance, his intentions, and Alcala's response?
vii. How does all this help us answer Solan & Tiersma's central question, quoted at the start of this section?

[1] The "motor vehicle exception" says that drivers have reduced privacy expectations and thus can be searched without a warrant if there is probable cause, and items in plain sight do not require probable cause.

7 The Davis case

Solan & Tiersma (2005:61):

> These findings suggest that the legal system should begin to recognize indirect requests for counsel, just as they recognize indirect requests by the police to search a car, and just as they recognize indirect acts of consent by suspects. At the very least, law enforcement officers should be required to explain, once a suspect raises the right to counsel, that his request will be respected and that if he wants to have a lawyer present, all he has to do is say "I want a lawyer."
>
> The law is now settled and contains no such requirement. In 1994 – the year after Ainsworth's article was published in the *Yale Law Journal* – the Supreme Court held in *Davis v. United States* that a suspect's statement that "Maybe I should talk to a lawyer" was not an invocation of the right to counsel, adopting the literalistic threshold of clarity approach. The Court also held that interrogating officers were under no duty to ask clarifying questions, emphasizing that unless and until a suspect makes an unambiguous or unequivocal request for counsel, the police can continue questioning. The ruling was especially aggressive in rejecting the clarification standard, which the government itself had agreed may be the best path to take when a suspect makes an equivocal invocation.

Thus, if you need to invoke your right to counsel in the U.S., you should say,

(7) I hereby invoke my right to counsel.

Courts have ruled that all of the following fail to invoke the right to counsel:

(8) a. "Maybe I need a lawyer."

b. "I think I need a lawyer."

c. "Didn't you say I have the right to an attorney?"

d. "Wait a minute. Maybe I ought to have an attorney. You guys are trying to pin a murder rap on me, give me 20 to 40 years."

It is no mystery why people resort to these indirect tactics with police officers; numerous issues of power dynamics, politeness, and uncertainty about the law are in play here.

The case of (9) made headlines more recently:

(9) "I know that I didn't do it, so why don't you just give me a lawyer, dog? 'Cause this is not what's up."

The headlines were about the idea that the suspect failed to invoke their right to counsel because of the phrase "lawyer dog". It is indeed true that that is an absurdly uncharitable construal that would seem to open the door to everyone being responsible for even very implausible construals of their utterances. But the real essence of the case is that, even where the utterance is parsed with "dog" as a term of address, it was still likely to run up against *Davis v. United States*.

For comparison, all of the following have been interpreted by courts as successful instances of police requesting that they be allowed to search people or their motor vehicles (Solan & Tiersma 2005:§3):

(10) a. "You don't mind if we look in you trunk, do you?"

b. "Do you mind if I check it [luggage]?"

c. "Do you mind if I take a look?"

d. "Can I have permission to search your vehicle?"

In many of these cases, a simple "Yes" response was deemed to count as the speech act of consenting to the request to search.

8 Solicitation

8.1 Background

Solan & Tiersma (2005:181) have this to say about *solicitation*:

> Not only is it illegal to commit a crime, but people can also be punished for asking or inducing someone else to do so. This is the crime of solicitation. Usually, the law punishes only the solicitation of more serious crimes. The state must usually prove that the solicitor intended the crime to be committed, although the crime does not actually have to be carried out. What is essential, at least under federal law, is that the solicitor "solicits, commands, induces, or otherwise endeavors to persuade" someone else to engage in the crime. The essence of solicitation is language.
>
> The speech act that the defendant must have performed is a *request*, or perhaps an *offer* or *command*. [...] The crux of the matter with solicitation is not so much the specific speech act used (in linguistic terms, the *illocutionary act*), but more the goal of the speech act (the *perlocutionary act*).

8.2 Price fixing?

From Solan & Tiersma (2005:184):

> Another relatively obvious example of a request involved Robert Crandall, the president of American Airlines. Crandall was accused by the federal government of soliciting Howard Putnam, president of Braniff Airlines, to engage in an attempt to monopolize the airline business in the Dallas-Fort Worth area. Both airlines had their hub at the Dallas-Fort Worth airport, and competition between them was intense; as a result, neither airline made much money. One day, Crandall telephoned Putnam about the problem: [see figure 1, next page]

Solan & Tiersma's questions:

> Did Crandall "request" Putnam to violate the antitrust laws by conspiring to set prices? Or is this merely a suggestion, which is what Crandall himself labeled it, and which would not be criminal.

Wierzbicka (1987:187) on *suggest*:

> Utterance *U* is a suggestion iff
>
> a. I say that I think that it would be a good thing if you did the act described by *U*;
> b. I say this because I want you to think about it;
> c. I do not know whether you will do it; and
> d. I do not want to say that I want you to do it.

Crandall: I think it's dumb as hell for Christ's sake, all right, to sit here and pound the **** out of each other and neither one of us making a **** dime.
Putnam: Well—
Crandall: I mean, you know, goddamn, what the **** is the point of it?
Putnam: Nobody asked American to serve Harlingen. Nobody asked American to serve Kansas City, and there were low fares in there, you know, before. So—
Crandall: You better believe it, Howard. But, you, you, you know, the complex is here—ain't gonna change a goddamn thing, all right. We can, we can both live here and there ain't no room for Delta. But there's, ah, no reason that I can see, all right, to put both companies out of business.
Putnam: But if you're going to overlay every route of American's on top of over, on top of every route that Braniff has—I can't just sit here and allow you to bury us without giving our best effort.
Crandall: Oh sure, but Eastern and Delta do the same thing in Atlanta and have for years.
Putnam: Do you have a suggestion for me?
Crandall: Yes. I have a suggestion for you. Raise your goddamn fares twenty percent. I'll raise mine the next morning.
Putnam: Robert, we—
Crandall: You'll make more money and I will too.
Putnam: We can't talk about pricing.
Crandall: Oh bull ****, Howard. We can talk about any goddamn thing we want to talk about.[7]

Figure 1: Crandall and Putnam on the phone; from *United States v. American Airlines* (1984)

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