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 Sentence types and illocutionary force

Sentence types are syntactic characterizations. 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.

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

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.

4 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.)
5 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)

5.1 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 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.

5.2 Context

Joe Gonzales (driver), Robert Bustamonte, Joe Alcala (brother of car’s owner), and a few other young men were driving in Mountain View. 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.

(1)  Rand: Does the trunk open?
    Alcala: “Yes” (then he gets the key and opens the trunk)

The officers eventually found forged checks in the trunk of the car.

5.3 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.

5.4 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?

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1The “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.
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?

References


