

Speech Act Theory

Felicity Conditions

What happens when a Speech Act misfires?

- Declaration: “You’re out!” (said by a fan in the stands)
- Commissive: “I promise to repay the money I owe.” (but the speaker does not intend to keep the promise)
- Directive: “Go and close the door.” (said by a private to the general)
- Expressive: “I am sorry that I ran over your cat.” (but the speaker does not really feel any remorse)
- Assertive: “I did not eat the chocolate cake.” (but the speaker is lying)

Searle's felicity conditions for well-formed promises

“I promise that *I will pay your tuition next quarter*”



Illocutionary clause



1. Sincerity condition
2. Essential condition



Propositional clause



3. Futurity condition
4. Ability condition
5. Non-expectancy condition
6. Benefit condition

1. Sincerity rule

Speaker must be sincere:

State-of-mind condition – speaker **intends** to carry out the promised act

“I will help you with your physics homework.”

(I intend to help you with your physics homework.)

2. Essential rule

Speaker (in making the promise) has conveyed to the hearer that the speaker has made a commitment

In other words, the hearer is aware that the speaker is committing him/herself to do what he/she promises to do

“(I promise) I will help you with your physics homework.”

3. Futurity rule

- The act that is to be performed must take place in the future

“I promise you that I will repair your car.”

“I promise you that George will repair your car.”

NOTE: The speaker must be the one who is to perform the future act (or else will see to it that someone else will do the act)

4. Ability rule

The speaker must have the necessary ability (mentally, physically, and/or financially) to perform the act promised (and must do something in furtherance of the performance).

“I will help you with your calculus homework.”

5. Non-expectancy rule

The speaker would not be obligated to perform the act in the ordinary course of events.

“(I promise) I will help you with your calculus homework.”

Husband to wife: “I promise to come home tonight.”

6. Benefit rule

The promised act will be of benefit to the promisee.

“I will take you to Disney Land tomorrow.”

(I have reason to think that you would like to go to Disney Land.)

Well-formedness Conditions

Promisor (Speaker)	Promisee (Hearer)
1) Sincerity rule	2) Essential rule
# 3) Futurity rule	
# 4) Ability rule	
# 5) Non- expectancy rule	# 6) Benefit rule

Criteria for a Valid Exchange

(a) Futurity condition: Each party is to perform (or refrain from performing) a future act.

(b) Ability condition: Each party is able (physically, mentally and/or financially) to perform the required act and will do something to further that performance.

(c) Non-expectancy condition: A party is not expected to do the act in the ordinary course of affairs.

(d) Benefit condition: Each party sincerely wants the other party's performance of the act and it is that desire that motivates entering into a bargain.

Speech Act Analysis of Consideration

Failure to respect this speech-act felicity condition:	Results in the following legal consequence:
Futurity	'Past' consideration
Ability	Fortuitous occurrence
Non-expectancy	Pre-existing duty
Benefit	Sham consideration
Benefit	'Condition precedent' on a gift

