

Speech Act Theory: Hearsay

Analysis

Assertives: Implicit illocution

Boy points to a horse and says:
"That's father's mare."

- **Issue:** Whether the boy made an assertion.
- **Issue:** Whether the boy asserted that it was his father's mare.
- **Issue:** Whether the boy believes that it was his father's mare.
- **Issue:** Whether the mare is his father's.

Assertives: Explicit illocution

Boy points to a horse and says:
"I **assert** that's father's mare."

- **Issue:** Whether the boy made an assertion.
- **Issue:** Whether the boy asserted that it was his father's mare.
- **Issue:** Whether the boy believes that it was his father's mare.
- **Issue:** Whether the mare is his father's.

Declarations

During a wedding ceremony a priest says:
“I now pronounce you husband and wife.”

Issue: Whether a priest said, “I now pronounce you husband and wife.”

Issue: Whether John and Jane are married
. Whether John and Jane are husband and wife

Speech Act Theory

State of Mind

3 types of ‘state of mind’ statements

1. Indirect statement of state-of-mind (never hearsay)
2. Direct state-of-mind statement about an external event (possibly controversial)
3. Direct state-of-mind statement about an internal mental state (controversial)

Indirect statement of state of mind [never hearsay]

Issue: Whether X was under the influence of some drug

X's statement: "I see angels and demons all around me."

Issue: Whether X believed that she had been poisoned

X's statement: The tea my husband gave me to drink tasted funny."

Direct state-of-mind statement about an external event

Issue: Whether X believed that she had been poisoned

X's statement: "I believe that my husband intended to poison me."

Issue: Whether X thinks that the mailman is his father

X's statement: "I believe that the mailman is my father."

Direct state-of-mind statement about an internal mental state

Issue: Whether X felt sick.

X's statement: "I feel sick."

Issue: Whether X loved his wife

X's statement: "I love my wife."
