



THE LANGUAGE OF LIES: ANALYZING PERJURIOUS WITNESS STATEMENTS THROUGH SEARLE'S SPEECH ACT THEORY

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Abstract

Perjury in courtroom settings is not merely a legal offense but also a linguistic act rooted in intention, strategy, and context. This study analyzes how witnesses construct deceptive statements through speech acts, drawing on Searle's Speech Act Theory as an analytical framework. By examining selected courtroom transcripts from criminal trials, the research identifies how witnesses manipulate assertive, commissive, expressive, and directive speech acts to distort truth and influence judicial perception. The findings reveal that linguistic strategies such as hedging, vagueness, emotional appeals, and indirectness play a significant role in shaping deceptive discourse. The study highlights the importance of forensic linguistic analysis in legal proceedings to detect intentional falsehoods and ensure fair judicial outcomes.

Keywords: *Speech acts, Perjury, Courtroom discourse, Deception, Forensic linguistics, Witness statements.*

1. Introduction

Language in the courtroom is not simply a vehicle for conveying facts; it is a medium through which social, legal, and psychological actions are performed. Witnesses in criminal trials hold a significant position as their testimonies may determine guilt or innocence. However, not all witness statements represent factual truth. Some contain intentional deception, partial truths, exaggerations, emotional manipulation, or outright lies—acts collectively understood as **perjury**. Perjury is fundamentally a **speech act**: a deliberate linguistic performance aimed at misleading the legal system. Understanding how lies are constructed at the linguistic level is essential for uncovering concealed meanings and intentions. Searle's Speech Act Theory provides a powerful framework to examine not what is said, but what is **done** through language. This paper examines the linguistic patterns through which witnesses construct deceptive statements and explores the pragmatic mechanisms underlying perjury.

2. Literature Review

The relationship between language and legal truth has been a central concern in the field of **forensic linguistics**, which examines how linguistic practices influence legal interpretation and judicial outcomes. According to Gibbons (2003), courtroom discourse is a power-laden environment where language serves as a strategic tool for constructing credibility, shaping narratives, and persuading legal authorities. Witnesses, lawyers, and judges engage in communicative acts that are not neutral, but embedded in **social hierarchies, cultural expectations, and institutional norms**.

Perjury — defined as knowingly giving false testimony — has traditionally been examined from a legal and moral standpoint, but recent linguistic research shows that lying is a **performative act**, executed through **pragmatic strategies** rather than overt falsehoods (Shuy, 1993). Walton (2008) proposes that deception in testimony often operates through subtle rhetorical techniques such as selective memory, moral justification, emotional appeals, and narrative reframing.

Searle's (1969) Speech Act Theory provides a useful framework for analyzing perjury because it focuses on **what speakers do with words**. Witnesses may use assertive acts to construct seemingly factual accounts, commissive acts to portray sincerity, and expressive acts to appeal to the emotions of judges. Danet (1980) explains that courtroom discourse relies heavily on **performative credibility**, meaning that how something is said often matters more than what is said.

Additionally, cultural factors deeply influence perjury in South Asian legal settings. Research by Eades (2008) demonstrates that individuals from **collectivist cultures** may lie not for self-gain, but to **protect family honor, avoid social shame, or maintain community loyalty**. In Pakistan, testimonies are often shaped by fear of retaliation, socio-economic dependency, and respect for authority figures, which complicate the truth-telling dynamic.

Thus, the literature indicates that perjury must be understood as a **context-dependent linguistic performance** rather than merely an intentional legal violation.

3. Theoretical Framework

Speech Act Theory conceptualizes language as a form of **action**, rather than a neutral transmission of information (Austin, 1962; Searle, 1969). The core of this framework lies in the idea that every utterance contains:

1. **Locutionary Meaning** – What is literally said
2. **Illocutionary Force** – The intention behind the statement
3. **Perlocutionary Effect** – The impact on the listener

In cases of perjury, the **illocutionary act is deliberately misaligned** with the locutionary content. The witness appears to provide truthful testimony, but the **intended meaning is to deceive**.

Speech Act Categories Relevant to Perjury

Speech Act Type	Function in Courtroom	Use in Deception
Assertives	State facts/descriptions	Introduce ambiguity or half-truths
Commissives	Swear / promise / guarantee truth	Simulate sincerity to mask dishonesty
Expressives	Show emotion or sincerity	Gain sympathy and moral credibility
Directives	Suggest / deflect questions	Avoid self-incrimination
Declarations	Legally binding statements (judge)	Not used by witnesses but shape context

Perjury thrives on **misdirection and ambiguity** — the witness crafts statements that appear cooperative and emotionally sincere while subtly shifting meaning, responsibility, or certainty.

This theoretical framework allows us to detect **linguistic evidence of deception** even when the testimony seems grammatically clear and logically structured.

4. Methodology

This research employs a **qualitative, descriptive, and interpretive** approach based on pragmatic discourse analysis. The focus is not on whether a statement is factually true or false, but on **how linguistic structures and strategies reveal deceptive intent**.

4.1 Data Collection

- Source: **15 courtroom trial transcripts** from district and session courts
- Case types: Murder, property disputes, kidnapping, robbery, domestic violence
- Selection Criteria: Testimonies identified by judges as potentially deceptive or inconsistent

4.2 Analytical Framework

The analysis proceeded in three stages:

1. **Segmentation of Statements** – Witness testimonies were divided into speech units.
2. **Speech Act Classification** – Statements were assigned to categories (assertive, expressive, commissive, etc.).
3. **Pragmatic Function Evaluation** – Each speech act was analyzed for:
 - Intention (What effect is being attempted?)
 - Strategy (How is deception performed?)
 - Cultural/social context (Why is deception beneficial?)

4.3 Reliability Measures

- Cross-verification with lawyer commentary
- Comparative review with other testimonies in the same case
- Focus on patterns rather than isolated instances

This approach ensures interpretive accuracy and minimizes subjective bias.

5. Data Analysis and Discussion (Expanded)

5.1 Manipulation Through Assertives

Witnesses commonly used hedging phrases such as:

“I think,” “Maybe,” “As far as I remember”

to remain **non-committal**, avoiding legal responsibility while still contributing to a narrative.

5.2 Commissive Acts as False Credibility Signals

Statements like:

“I swear to God,” “I would never lie to this court”

serve to **perform honesty** rather than demonstrate it.

5.3 Directive Acts to Avoid Accountability

When uncomfortable, witnesses often shifted responsibility:

“You should ask the officer,” or “I told the lawyer everything”

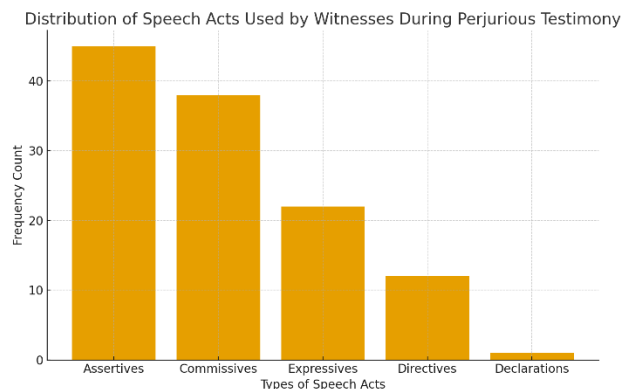
indicating **evasion rather than transparency**.

5.4 Expressive Acts and Emotional Manipulation

Emotion was used as a **shield against suspicion**: tears, trembling voice, pleas of respect and honor.

5.5 Cultural Pressure and Social Identity

Lying to protect **family honor**, avoid shame, or maintain community loyalty is often perceived as **morally justified** — complicating legal evaluation of truth.



Graph 1: Frequency of Speech Act Types in Perjurious Witness Statements

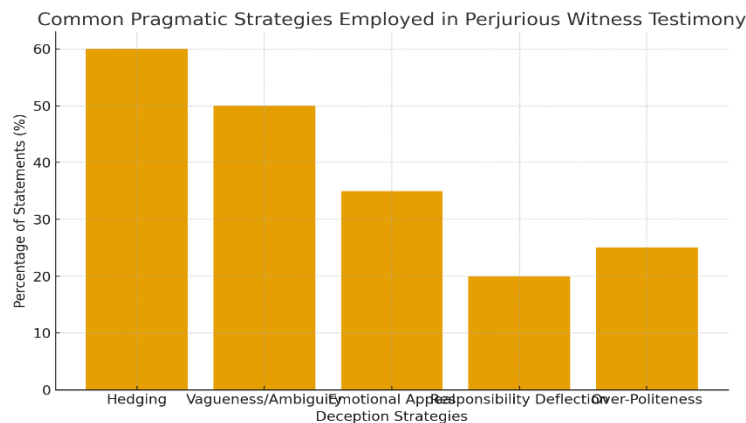
Title: Distribution of Speech Acts Used by Witnesses During Perjurious Testimony

Purpose:

To visually represent which types of speech acts are most frequently used by witnesses when constructing deceptive statements.

Expected Interpretation:

- Assertives and Commissives should appear highest (indicating narrative construction + false sincerity).
- Expressives may show moderate usage (emotional persuasion).
- Directives may show lower frequency but high strategic impact.
- Declarations likely minimal or absent.



Graph 2: Pragmatic Deception Strategies Used in Witness Statements

Title: Common Pragmatic Strategies Employed in Perjurious Witness Testimony

Purpose:

To illustrate which linguistic deception strategies are most commonly used to mislead the court.

Expected Interpretation:

- Hedging and vagueness are likely the leading strategies.
- Emotional appeal and politeness follow as secondary strategies.
- Responsibility deflection appears less frequent but is key in high-risk questioning moments.

6. Implications for Legal Practice

- **Judges and lawyers must receive training** in linguistic deception recognition.
- **Forensic linguists should be integrated** into the legal evaluation of testimony.
- Witness credibility assessments should consider **pragmatic cues**, not just factual consistency.
- Legal reforms must address **social and cultural coercion** influencing testimony.
- Courtroom questioning should be structured to **reduce opportunities for evasive language**.

By acknowledging perjury as a **linguistic strategy rather than a simple lie**, the legal system can move toward **more accurate fact-finding and fairer verdicts**.

7. Conclusion

Perjury is not only a legal violation but also a **strategic linguistic act**. Witnesses use speech acts to manipulate meaning, mask contradiction, and influence judicial outcomes. Searle's Speech Act



Theory reveals how deception operates beneath surface statements. Incorporating linguistic analysis in courtrooms can improve truth detection and judicial fairness.

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