

## A pragmatic analysis of newly elected heads of states' inaugural oaths: A case study of the republic of Benin

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### Abstract

This article aims at shedding light on the pragmatic features of speech acts through the constitutionally required oath sworn by newly elected heads of states in democratic countries. These authors focus their study on the oath contained in the article 53 of the 1990 Constitution of the Republic of Benin, that is, to be sworn verbatim under specifically prescribed conditions by every newly elected president of the republic. This is required by law as a prerequisite to the legitimacy as Head of State and the endowment of the power thereof. The paper is based on the speech act theory as originally developed by Austin (1962) and furthered by Searle (1970), whereby every linguistic communication involves linguistic acts. The qualitative approach has been adopted and the exclusive use of commissives highlights the most important goal of this solemn oath which is that of a public commitment by the Head of State to govern as indicated by the people in the Constitution. The study mentioned the decision DCC 96-017 dated on April 5th, 1996 of Benin constitutional court, nullifying the oath sworn on April 4th, 1996, by the then newly elected president Mathieu Kérékou, because his declaration was not completely true to the sacramental and indivisible formula of the constitution, which obliged him to take the oath a second time, on April 6<sup>th</sup>, 1996.

**Keywords:** democracy, speech acts, oath, commissive acts, felicity conditions

### 1. Introduction

Language is the most important means of communication used by human beings. It is a vehicle of power, a means by which we control, create and preserve (Traugott and Pratt, 1980 p.1) [12]. Language serves as the most vital tool in human beings' existence and is permanently used not only as a means for conveying information and sharing views but also as a tool for performing acts in all fields of social life. It is thus essential in the implementation of successful Democracy in any country. Most political activities are carried out through language (Wayá & Ogechukwu, 2013, p. 17) [15]. Democracy, viewed by Abraham Lincoln as the government by the people, of the people, and for the people, is no exception to this inner and very close involvement of language in all aspects related to human existence. Democratic systems put the people at the core and the centre of power from its beginning by the drafting of a constitution that set the frame for democratic rules. The 1990 conference of the living forces in Benin was a forerunner at this regard as it lies in the hands of the people to cast their votes to choose their head of state and to have their say all along the governance process through constitutional institutions and the right to free expression through the mass media, still with the use of language. Since the 1960s, when language became a major and autonomous field of study with a wide range of branches, it has remained to date a much fascinating area, as it goes on unfolding its critical importance in formerly unsuspected areas such as the very endowment of power. Thus reaching far beyond the superficial status of a means for the communication of non-verbal experiences, language reveals itself furthermore as a tool for the very making, the maintenance and the preservation of meaning and a token of reference to society, in many important and core aspects of social life. This centrality of language in social matters lies in its potential of bringing about major shifts

in the social status and destinies of individuals, of setting people into action, of setting and fixing legal boundaries for the sake of social harmony, together with regulated penalty in case of infringement.

However, language as a semiotic system in its compositional aspect cannot be used to construct meaning, unless it is context-based. Indeed, the same utterance produced by the same speaker in the presence of an unchanged audience in different contexts, that is the speech event, will definitely be variously interpreted. As a matter of fact, when language is studied in use, context always comes first, directing the process of meaning construction from the very beginning (Porto Requejo, 2007, p.169) [14]. Language and context thus appear as the two inseparable faces of the same coin, in a parallel way with the same relationship existing between the signifier and the signified, to use the words of Ferdinand De Saussure. In a more specific way, and still in the words of Porto Requejo (2007) [14], context is not some extra information we turn to when bare semantics is not enough. Context rather comes first and is made up of the set of cultural knowledge and environment of participants in each speech event, their perceptions, and their cognitive capacities.

In the specific case of speech acts, context reads, as Schiffrin (1994, p.51) [9] comments on Austin's observations, as "the circumstances allowing an act" and which include:

- The existence of an accepted conventional procedure having a certain conventional effect, with such a procedure including the uttering of certain words by certain persons in certain circumstances ;
- The requirement of specific circumstances, the presence of particular persons for the achievement of the particular procedure invoked;
- The obligation for the procedure to be executed by all

- participants both correctly and completely;
- The participants' intention must be true to their utterances.

## 2 Theoretical framework

The perpetuation of the languages spoken worldwide goes along with the cultural transmission of a dynamic set of paradigmatic and syntagmatic rules whereby members of speech communities share one another's experiences, viewpoints and wishes through verbal communication. Whereas syntactic and semantic analyses of a piece of utterance provide quite a great deal of the linguistic content of that utterance, they remain insufficient for its deep and holistic grasp, as more may be meant than said or written. As Grundy (2000 : 33) <sup>[3]</sup> specifies, "while in semantic analysis, there is an attempt to focus on what the words conventionally mean, pragmatic analysis focuses on what a speaker might want the words to mean on a particular occasion". Filling in this gap thus makes it necessary to bring in speech act theory which falls within the area of pragmatics. In the words of Austin (1962, p.108) <sup>[1]</sup>, there are three kinds of acts in speech act theory that are the components of every communication activity: the locutionary act that is the expression of the message, the illocutionary act which is the intended meaning, the act performed when saying something and the perlocutionary act that is the actual impact achieved by uttering something.

### 2.1 The different types of illocutionary acts

The minimal units of human communication are speech acts of a type called illocutionary act (John R. Searle and Daniel Vanderveken, 1985, p.1) <sup>[11]</sup>. The illocutionary act is the specific and contextual message the speaker wants to convey when he/she uses language in a communicative interaction. In his seminal work "How to do things with words", J. L. Austin (1962) <sup>[1]</sup> identified five illocutionary points which are as follows:

- **Assertives:** Also termed representatives, these are statements that may have true or false as they aim to describe speaker's belief relating to the state of affairs in the world. Asserting, stating, suggesting, describing, concluding are assertive speech acts.
- **Directives:** Demands or requests whereby the speaker attempts to make the hearer do actions that fit the propositional content. Requesting, advising, commanding, challenging, inviting are such speech acts.
- **Commissives:** They are statements which commit the speaker to a course of action in the future as described by the propositional content and for the benefit of the hearer. Promising, pledging, threatening, swearing are commissive speech acts.
- **Expressives:** Statements that express speaker's attitude to a certain state of affairs. Greeting, thanking, apologising, complaining, congratulating are expressive speech acts.
- **Declarations:** They include statements that attempt to change the world by "representing it as having been changed". Declaring, baptising, resigning, firing from employment, hiring, arresting are declarations.

Although the identification of the type of illocutionary act is an important step in the singling out of the intended message, it does not give a direct reach to it. As a matter of fact, an interrogative statement may be used by a speaker who is rather making a request rather than expecting an answer, in the case of indirect speech acts, as in (1) whereby the speaker wants the

hearer to move from the front of the TV set: (1) Are you our TV channel today?

It is then critical to know the conditions under which the illocutionary act can be considered as a valid one. Such conditions are commonly known in the frame of the Speech Act Theory as felicity conditions.

### 2.2 Felicity conditions and illocutionary force indicating devices

Language is the "relations between thoughts, words and external objects." (Hartley, 2002, p. 130) <sup>[4]</sup>. In using a performative utterance, a person is not just saying something but is actually doing something, if certain real-world conditions are met (Wardhaugh, 2010) <sup>[13]</sup>. These conditions are, in fact, sine qua non in order for an utterance to really imply what it is intended to be in real world. As a matter of fact, playing William Shakespeare's *Romeo and Juliet* does not mean that the actors representing these two emblematic characters are actual lovers. Searle (1969) <sup>[10]</sup> distinguishes four main appropriateness or felicity conditions for an illocutionary act to be valid. They are as follows:

- **The propositional content condition**, which requires the participants to understand the language being used and not to be in the role of actors or be lying permanently.
- **The preparatory condition:** it requires the speech act to be embedded in a context that is conventionally recognized either by social behaviour or by legal requirement.
- **The sincerity condition:** it requires the speaker to be sincere in uttering the declaration in which there must be a correlation between the locutionary act and what is intended.
- **The essential condition:** it requires that involved parties all intend the result, in such a case where a commitment changes the state of speaker from non-obligation to obligation, with hearer having the state of beneficiary.

With the above listed conditions that take into account important elements that are related both to the speech act per se and the surrounding parameters that build up its context, one can consider them to be sufficient enough to qualify a communicative action as a felicitous one. However, there can still be some gap to fill to add authenticity to a successful speech act by the use of illocutionary force indicating devices.

Illocutionary force indicating devices are linguistic and paralinguistic hints that range from the use of unambiguous performative verbs, word order, the choice of words with low, median or high semantic scope for the linguistic ones, to vocal intonation, body gestures, special ways of dressing, and all other possible cultural practices including rituals for the paralinguistic ones.

## 3. Pragmatic analysis of the oath

In this section which focuses on the practical analysis of the full text of the presidential constitutional oath of the republic of Benin, we have decided to maintain the text in its original French version in order to keep the very words and original ideas of the official version. However, and in order to achieve a higher readership, an English version is provided between brackets.

The text of the oath contained in article 53 of the constitution, consists of two main clauses. The first is a complex clause made of one introductory clause and five indents containing the main semantic components of the oath. The second clause concludes the oath (see the appendix). The pragmatic analysis consists in

the identification of the illocutionary and perlocutionary acts contained therein. The qualitative analysis approach has been used in this study.

**Introductory utterance**

Locution: « Devant Dieu, les Mânes des Ancêtres, la Nation et devant le Peuple béninois, seul détenteur de la souveraineté, Nous, Président de la République, élu conformément aux lois de la République, jurons solennellement : (*"Before God, the Spirits of the Ancestors, the Nation and before the Beninese people, the exclusive holder of sovereignty, We, President of the Republic, elected in accordance with the laws of the Republic, solemnly swear*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: Assurance given to the audience on the recognition of God, the spirits of the Ancestors, the Nation and Benin citizens as valid witnesses.

**Indent 1:**

Locution: De respecter et de défendre la Constitution que le Peuple béninois s'est librement donnée (*To respect and defend the Constitution that the Beninese people freely voted*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: A formal and direct swearing to respect the constitution and to make it respected.

**Indent 2:**

Locution: De remplir loyalement les hautes fonctions que la Nation nous a confiées (*To loyally fulfill the high ranking responsibilities that the Nation has entrusted us with*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: swearing and assurance given to the audience to loyally fulfill the presidential office.

**Indent 3:**

Locution : De ne nous laisser guider que par l'intérêt général et le respect des droits de la personne humaine, de consacrer toutes nos forces à la recherche et à la promotion du bien commun, de la paix et de l'unité nationale (*To be guided by the general interest alone and the respect of human rights, to devote all our strength to the pursuit and promotion of common welfare, peace and national unity*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: Assurance to give highest consideration to general welfare

**Indent 4:**

Locution: De préserver l'intégrité du territoire national (*To preserve the integrity of the national territory*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: the elected promises to preserve the integrity of the land.

**Indent 5:**

Locution: De nous conduire partout en fidèle et loyal serviteur

du peuple (*To behave everywhere as a faithful and loyal servant of the people*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: Assurance given by the elected of the recognition of himself as the faithful and loyal servant of the people.

**Indent 6:**

Locution : En cas de parjure, que nous subissions les rigueurs de la loi (*In case of perjury, may I face the rigors of the law*)

**Illocutionary act: Direct commissive**

Expected perlocutionary effect: proof of his sincerity

**4. Discussion of the findings**

This section consists in checking the validity of this speech act of the oath swearing through the propositional content, the preparatory, the sincerity and the essential points that make up the felicity conditions.

In the propositional content condition, it is required that the participants understand the language being used and not to be in the role of actors or be lying permanently. As far as the language used is concerned, the constitution of the Republic of Benin mentions in its first article and fifth indent that “- La langue officielle est le Français” (the official language is French), which testifies that this condition is satisfied as the oath is sworn in French. Besides this, the authors notice that the elected is not playacting, as the context is one of elections that really took place through two rounds. Moreover, the constitutional court officially and publicly communicated the results and this is a shared knowledge to all the audience.

As for the preparatory condition, it is required that the speech act be embedded in a context that is conventionally recognized either by social behaviour or by legal requirement. In the case under scrutiny and as already mentioned, the context is that of non-fiction post-election. The ceremony of oath swearing is stated in the constitution which is the foundational law of the republic and the same ceremony has regularly taken place from 1991 to date after every five-year presidential term. Besides been a legal requirement, such a ceremony has become part of the social behaviour of the population.

The sincerity condition requires that the speaker be sincere in uttering the declaration, there must be a correlation between what is intended and the locutionary act. The *Oxford Advanced Learner's Dictionary* (2010) defines sincerity as the quality of someone showing or saying what he/she really feels or thinks in a genuine way. Sincerity is thus a state-of-mind condition that is hard to check and to testify to through the locutionary acts of the speaker. This is the reason why in the context of the oath swearing, not only visible entities like the grassroots population, authorities and personalities representing the democratic institutions are associated as participants, but invisible entities like God and the spirits of the ancestors that are believed by the physical participants, including the newly- elected president, to have the capacity to search human heart and to inflict punishment in case of an insincere swearing. Like in the case of apologizing or promising, as Thomas (1995) puts it, it is often impossible for others to determine whether or not sincerity conditions are fulfilled. However, there are some speech acts in which this sincerity is determined by the presence of witnesses,

such as in a contract, because one or more of the parties cannot later claim that they did not really mean it. Considering the difficulty to check and attest to sincerity, Peter Wilfred Hesling Smith (1991: 14) adds that “to swear that P is an attempt to make the hearer have to believe that what we are saying is true, often by calling something that is sacred to the speaker as a witness to the truthfulness of the statement, namely by calling upon deity or some sacred object. In this case, God and the spirits of the ancestors are parts of the social behaviour of the population as a whole and held in high esteem, which makes these authors to consider that the newly elected do mean what he says while swearing the oath.

Sincerity is also to be checked through the willingness and the readiness of the newly elected to declare the text of the oath, without skipping any part of it. This aspect of the oath is highly important. As a matter of fact, in the democratic history of the republic of Benin, in 1996, while swearing the oath, the newly elected Mathieu Kerekou skipped the group of words “les mânes des Ancêtres / the spirits of the Ancestors”. Subsequently to this oath swearing, citizens referred to the Constitutional court to ask for the checking of the validity of such oath. In the decision dated on April 5<sup>th</sup>, 1996, the oath was declared invalid, on the motive that, “le texte du serment tel que fixé par le Constitution, est une formule sacramentelle, indivisible; qu’il ne saurait donc subir une quelconque modification et doit être prononcé dans son intégralité” / *the oath as set by the Constitution, is a sacramental and indivisible formula,; it therefore cannot undergo any changes and must be delivered in full*. The president was then bound to swear the oath a second time by declaring the full text, which he did on April 6<sup>th</sup>, 1996.

The essential condition requires that involved parties all intend the result, in such a case where a commitment changes the state of speaker from non-obligation to obligation, with hearer having the state of beneficiary. The oath swearing as presented in the constitution, is intended to endow the newly elected with the legal and public recognition as the one having the qualification to rule the country under democratic prescriptions. Allowing a citizen to go through such ceremonial thus presupposes the presence of the intention from both parties, the newly elected in the one hand, and the citizens in the other. At the end of article 53 containing the text of the oath, it is stated that “Le serment est reçu par le Président de la Cour Constitutionnelle devant l’Assemblée Nationale et la Cour Suprême. / The oath is received by the President of the Constitutional Court, in the presence of the Parliament and the Supreme Court. It is important to point out that these three institutions are the very backbones of the democratic system and they represent respectively (1) the judicial power with the capacity of opposing some decisions of the president in office, (2) the population as a whole with the capacity of passing laws and have a check on the actions of the president and (3) the legal power that has a higher standing in terms of judicial decisions.

## 5. Summary and conclusion

Language is a powerful tool that is used not only to convey information, but also to endow an authority with public recognition and power. Although the lay person may not grasp this important aspect of utterances produced under specific conditions, everyone in society is bound to it. The study has examined the oath sworn by newly elected heads of states in democratic countries, with a special focus in the Republic of Benin. To achieve the results contained in this research work,

the authors selected the oath contained in the article 53 of the Constitution of Benin, on which a pragmatic analysis was applied, based on the rules of speech act theory. The pragmatic analysis of the oath showed an exclusive use of commissives whereby the new elected commits himself to a future action that is expected by the population to a benefit to them. Among the other felicity conditions that can be checked and attested to, these authors consider that sincerity, as a state-of-mind condition and thus more difficult to be checked, has been satisfied through the use of semantically highly loaded words and the invocation of invisible and sacred entities.

## 5. References

1. Austin JL. How to do Things with Words. Oxford: Oxford University Press, 1962.
2. Fairclough N. Language and Power. New York: Longman Group, 1996.
3. Grundy P. Doing Pragmatics. New York: Routledge, 2000.
4. Hartley J. Communication, Cultural & Media Studies: The Key Concepts. London: Routledge, 2002.
5. Jenny T. Meaning in Interaction: an Introduction to Pragmatics. New York: Longman publishing, 1995.
6. Levinson SC. Pragmatics. Cambridge: Cambridge University Press, 2003.
7. Loi N°90-32 du 11 décembre portant constitution de la République du Bénin, 1990.
8. P/Novo. Office Nationale d’Edition de Presse et d’Imprimerie (ONEPI).
9. Schiffrin D. Approaches to Discourse. Oxford: Blackwell Publishers Ltd, 1994.
10. Searle J. Speech Acts: an Essay in the Philosophy of Language. Cambridge: Cambridge University Press, 1969.
11. Searle JR, Vanderveken D. Foundations of Illocutionary Logic. Cambridge: Cambridge University Press, 1985.
12. Traugott EC, Pratt ML. Linguistics for Students of Literature. London and New York: Harcourt Brace Jovanovich, 1980.
13. Wardhaugh R. An Introduction to Sociolinguistics (6<sup>th</sup> edition). United Kingdom: Blackwell editors, 2010.
14. Porto Requejo M. The Role of Context in Word Meaning Construction: A Case Study. International Journal of English Studies. 2007; 7:169-173
15. Waya DT, Ogechukwu M. A Pragmatic Analysis of Victory and Inaugural Speeches of President Jonathan: a Measure for Transformation and Good Governance in Nigeria. Innovare Journal of Social Sciences. 2013; 1(2)
16. Wilfred PHS. Speech Act theory, Discourse Structure and Indirect Speech Acts. Unpublished doctoral dissertation defended at the University of Leeds, Department of Philosophy, 1991.