

CHAPTER I

INTRODUCTION

This chapter introduces the nature of the present study. It comprises the background of the study, formulation of the research problems, objectives of the study, scope of the study, significance of the study, clarification of terms, and organization of the paper.

1.1 Background of the Study

The present study analyzes a conversation conducted in a criminal investigation of a court trial, specifically analyzing how the one being suspected (a defendant) uses a certain language strategy to win a case. In a trial, a conversation is particularly conducted to find the truth as the basis to determine whether a defendant is guilty. However, in many cases of trials, finding the truth is not an easy task. The investigators (judges, prosecutors) frequently deal with cases in which the defendants may attempt to release from the accusation through various ways, one of which is through telling a lie. The act as a lie is difficult to detect since there is often unclear proven evidence to detect the lie. One way to detect deception is through knowing a language strategy that the defendants utter (Bachenko et al., 2008; Choudhury, 2014). The language strategy in this matter is the way a message is delivered. This phenomenon can be comprehensively understood through the explanation of the theory of cooperative principle (Grice, 1975), and the exploration of some research on the cooperative principle in several areas of language use including in a court context.

The theory of cooperative principle explains a mechanism of conversational exchanges. It contains an explanation of how people manage their utterances in exchanging a message. Grice (1975) argues that people's behavior in conversational exchanges could be cooperative and uncooperative. The speakers are said to be cooperative contributors when they follow a certain principle of

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communication. Grice proposes a general principle which is stated in these words “Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged” (Grice, 1975, p. 45). This general principle is extended to become a set of principles which are labeled as maxims. These maxims comprise maxims of quantity, quality, relevant and manner. Briefly, maxim of quantity is explained as the principle of providing the right amount of information (Dornerus, 2005). Meanwhile, maxim of quality is the principle of telling the truth (Szczpanski, 2016) Maxim of relation refers to the principle of giving relevant information (Juez, 1995). Finally, maxim of manner deals with the principle of giving clear utterances and avoiding ambiguous utterances (Dornerus, 2005).

The speakers are said as uncooperative contributors when they do not adhere to the maxims, in certain cases they fail to observe the maxims. The way they fail to observe the maxims is called the non-observance of the maxims (Thomas, 1995). There are five ways of the non-observances such as flouting a maxim, violating a maxim, infringing a maxim, opting-out of a maxim and suspending a maxim. Briefly, flouting of maxims occurs when “a speaker blatantly fails to observe a maxim at the level of what is said, with the deliberate intention to generate an implicature (additional meaning)” (Thomas, 1995, p. 65). Meanwhile, violation occurs when the speakers unostentatiously fail to observe a maxim, so that the interlocutors may not notice that the speakers violate the maxims. Infringing takes place when the speakers have an inadequate linguistic competence so that they do not speak clearly. Opting-out of maxims occurs when the speakers avoid responding to the interlocutors’ demand to provide information. Finally, suspending occurs when the speakers fail to observe a maxim because of a cultural code.

Among those ways, violation is said as the non-observance way that is potential to help the speakers in their effort to tell a lie. As stated by Grice (1975), the speakers who violate the maxims are liable to mislead the interlocutors. In other words, they are capable to deceive others because they violate a maxim

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unostentatiously. In addition, since lying is denying the truth, lying invariably entails violation of the quality maxim (Dynel, 2008; Fallis, 2012). By violating the truth (quality maxim), the interlocutors may not realize when the speakers attempt to tell a lie. One of language areas in which the speakers potentially violate the cooperative principle is in a court context. In that context, the speakers' utterances are potentially misleading (Yule, 1996). Hence, violation is a part of the theory that can be applied in the present study to predict the act of lying performed by the defendant during the investigation.

Studies on cooperative principle have been investigated in many language areas. These studies have examined different types of the non-observance of maxims. Some of these studies investigated all types of non-observances of the cooperative principle (maxims) (Yamazaki, 2010;Thurlow, 2002; Hals, 2006; Cheng, Cheng & Li, 2012, Jia, 2008; and Sobhani & Saghebi, 2014).These studies revealed the role of the non-observance of maxims in several language areas such as stand-up comedy, text message conversation, and psychological consultation. **In addition, some studies** focused on flouting of conversational maxims, as conducted by Li (2016), Lutfi and Younis (2016), Andresen (2013), Bilal and Naeem (2013) and Cunningham (2014). These studies revealed the role of flouting of maxims in several language areas such as advertisement, serial comedy, and political dialogue. Unlike flouting of maxims, the study which focuses on violation of maxims has not received as much attention. One of the few studies was conducted by Khoyi and Behnam (2014) which analyzed written and terminated documents of court by using cooperative principle theory, focusing on violation of quantity maxim.

Most studies as mentioned above investigated the types of the non-observance of maxim as a whole or focused on the flouting type. Studies which investigate violation of the cooperative principle specifically performed by the defendant in a court trial context are still rare accomplished. For that reason, the present study seeks to investigate a conversation in a criminal investigation of court trial by using Grice's (1975) theory of cooperative principle, focusing on

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violation of maxims. In addition, the data of the present study were in the form of oral conversations that were taken from one of court cases in Indonesia that was aired on the television, namely cyanide court case. Based on violation of the cooperative principle analysis, the study is aimed to know how the defendant constructs her language strategy in defending her testimony, answering and arguing. Specifically, the aim of the present study is to find out how violation of maxims is used as the way to gain the defendant's purpose. Moreover, the perlocutionary effect on the prosecutors is also analyzed in order to reveal whether the effect of violation corresponds to the defendant's purpose.

1.2 Formulation of Problems

As has been stated in the background, the present research is carried out to investigate how the cooperative principle is violated by a defendant of cyanide court case during the investigation. In addition the effect of violation is also analyzed in the present study. Therefore, the research is conducted based on these following research questions:

1. How does the defendant violate the cooperative principle in her response to the prosecutors' questions?
2. What is the perlocutionary effect of the violation on the prosecutors during the investigation?

1.3 Purposes of the Study

The purpose of the study is generally to discover how the defendant of cyanide case acts in violation of the cooperative principle in her effort of lying. To be more specific, the study aims to:

1. Identify how the defendant violates the cooperative principle in her answers to respond to the prosecutors' questions.
2. Identify the perlocutionary effect of violation on the prosecutors during the investigation.

1.4 Scope of the Study

The present study is carried out by relying on Grice's (1975) theory of cooperative principle, especially focusing on one type of non-observances of the maxims, namely violation. This study is also supported by Austin's (1962) perlocutionary act to reveal the effect of violation on the prosecutors during the investigation. The data were taken from the conversation in cyanide court case on 28th September 2016, in Jakarta hall of court.

1.5 Significance of the Study

The results of the research regarding the way the defendant acts in violation of cooperative principle in her answers to respond to the prosecutors' questions are expected to provide some benefits.

Theoretically, this study is expected to enrich knowledge on the non-observance of the maxims, especially in terms of how violation of maxims is used to investigate a conversation in a court context. Moreover, the research can also be used as information or reference for the readers or future research when they discuss the same topic.

Practically, it is expected that through the result of the research, the readers, generally the society as a whole can understand how the court participants attain their purposes through the language strategies they employ, specifically through the use of violation of cooperative principle. By analyzing violation, it may reveal whether the defendant gives her clear answer or attempts to tell a lie in stating testimony in a trial.

1.6 Clarification of the Terms

Some of important terms are applied in this present study. Those terms are essential to explain the research as key points and clarify the meanings.

- Cooperative Principle.

Cooperative principle is a principle where the contribution of the speaker and the hearer is fulfilled as is required by interlocutors in communication. By applying cooperative principle, participants of conversation can build meaningful conversation (Grice, 1975).

- Non-observance of the maxims

Non-observance of the maxims is an act of failing to observe a maxim or a situation when a speaker breaks the maxim. There are five ways of non-observances such as flouting a maxim, violating a maxim, infringing a maxim, opting-out of a maxim and suspending a maxim (Thomas, 1995)

- Violation

Grice defines violation very specifically as the unostentatious non-observance of a maxim. If a speaker violates a maxim s/he will be liable to mislead (Thomas, 1995, p.72)

- Perlocutionary act

“A perlocutionary act is the act by which the illocution produces a certain effect in a certain influence on the addressee” (Horn & Ward, 2006, p.55). Hence, perlocutionary act concerns with the effect of an utterance may have on the addressee.

- Court

“Court is a place where trials and other legal cases happen, or the people presents in such a [place](#), [especially](#) the [officials](#) and those [deciding](#) if someone is [guilty](#)”(Cambridge dictionaries online, 2011).

- The Prosecutor

The prosecutor is a team of solicitors and barristers who presents the case in a court case and accuses a person of committing a crime. The prosecutor’s role in court is to prove that the person being accused of committing crime is guilty (Court services of Ireland, 2012).

- The Defendant

“A defendant is a person that has been brought to court because he/she who is being sued or accused of having done something illegal” (In Merriam-Webster’s online dictionary, 2017).

1.7 Organization of the Paper

This paper is organized into five chapters. Chapter one presents the introduction of the study. It provides background, formulation of problems, purposes of the study, scope of the study, significance of the study, clarification of terms and organization of the paper. Then, chapter two presents relevant theoretical frameworks and relevant previous studies to support the study. Chapter three describes the methodology used in conducting the study, including research design, data collection, data analysis, and data presentation of the study. The next chapter elaborates the result of the study which provides discussion of the findings that answer the research questions. The last is chapter five, presenting the conclusions toward the result of the study, this chapter also provides suggestions for future research.