

# CHAPTER I

## INTRODUCTION

### 1.1 Background of the Study

Language is a system which human uses to say something through communication. One of human's needs is to communicate each other in order to express their feelings or ideas. Jandt (2010) states communication is the process of intentionally stimulating meaning in other humans through the use of symbols. Communication is a process of transmitting information and common understanding from one person to another (Keyton, 2011). Thao (2005) states that *“Communication is simply defined as a process in which a message is sent from senders to receivers. In a technical description, it is said that the sender encodes a message and the receiver decodes it. Communication problems occur when the encoded message differs from the decoded message. In other words, the message sent is not the message received.”* Communication is something humans do every day. To sum up, communication is the activity of conveying information through the exchange of thoughts, ideas, messages, or information, through speech, writing, signals, or behavior. Communication can happen between two or more people or even among groups.

The most common of communication form is conversation. There must be two components in conversation; the speaker and the listener. The cooperative principle can help speaker and listener to be cooperative in conversation. Grice states the cooperative principle makes your conversational contribution such as is required. It means that do not give any information less or more to the listeners.

Cooperative principle has four maxims that can help the conversation become more effective. They are maxim of quantity, maxim of quality, maxim of relevance, and maxim of manner. These maxims make the speaker and the listener can run conversation smoothly. Hence, these maxims are related each other. However, people sometimes break the maxims by giving more or less information, being irrelevant, saying something false, and being obscure which called as flouting of maxim. Levinson (1983) states that flouting maxim occurs when the speaker deliberately ceases to apply the maxims to persuade their listeners to infer the hidden meaning behind the utterances; that is, the speakers employ flouting maxim.

The flouting of maxim can be seen in any situation engaged with conversation. People tend to flout maxims because of many reasons. Courtroom is one of places where people interact in a room due to a case which needs to be solved. Since people in the courtroom have their own purposes and needs related to the case, they tend to produce flouting maxim to get what they want.

Zhang (2015) analyzed the implicature in the courtroom discourse and found that during the courtroom interaction, different participants employed different conversational implicature to achieve their purposes. The following dialogue was the data he found in his study.

Lawyer	: Did you marry your wife in 1882?
Defendant	: Unfortunately for me, I did.
Lawyer	: Unfortunately for her, too.

The above dialogue showed that the flouting maxim of Quantity has realized. “Unfortunately for me,” gave us the hint that their marriage is a mistake or they can’t live the happy life. Here are two reasons why the defendant provide

the over informative response. Based on Zhang's study, it was found that the violated cooperative principle is the important tool of generating conversational implicature. Moreover, for the lawyer, the function of implicature is to undermine the creditability of the testimony. While, for the defendant, he/she proved his/her innocent and the real testimony that he/she provided.

Another flouting maxim was also found on forensic linguistics research by Catoto (2017). The dialogue below was the found data.

- Q : From that billiard hall going to the house of XXX, how many minutes or hours would take you if you just walk Mrs XXX?*  
*A : That is not really that far. You will pass through the basketball court and you turn right and that is the house of the accused.*

The dialogue above shows that flouting maxim of manner has realized because the answer of the question is an elaboration which was not needed.

Khoyi and Benham (2014) also found flouting maxim of quantity on their research on discourse of law in Iranian Law Courts. They found that quantity maxims' violation has correlation with criminal convictions in relation to different speech acts. Their data analysis showed that there is a highly significant positive correlation between cooperative principle violation in relation to different speech acts and criminal convictions. Similarly, there is also a highly significant negative correlation between cooperative principle violation in relation to different speech acts (except representative) and being acquitted in the criminal courts. This finding reveals that culprits violate quantity maxim in relation to all speech acts different in degree and similarly acquitted cases often violate quantity maxim when they face just representative speech acts.

Besides in the courtroom studies, studies of flouting maxims can also be found in researches in movies or novels. Ariani et.al (2017) found flouting maxims were realized in Devil Wears Prada Movie. The following dialogue was one of the data they took.

*Miranda* : *Who are you?*  
*Andy* : *Uh, my name is Andy Sachs. I recently graduated from Northwestern University.*  
*Miranda* : *And what are you doing here? [Clears Throat]*  
*Andy* : ***Well, I think I could do a good job as your assistant. And, um... Yeah, I came to New York to be a journalist and sent letters out everywhere... and then finally got a call from Elias-Clarke... and met with Sherry up at Human Resources.***

The dialogue above shows that flouting maxims were realized. It happened because Andy gave additional information which was considered unnecessary to the question from Miranda.

Meanwhile, Fitri and Qodriyani (2016), found that flouting maxims in novel based on their research in Divergent novel. The following dialogue was one of the data such as:

*Christina* : *Do you know where we're going?*  
*Tris* : *A fast train means wind, wind means falling out. Get down. I guess we're going to Dauntless headquarters, but I don't know where that is. (Divergent, 6: 51-52)*

The above dialogue showed that Tris flouted maxims by giving too much information to the question from Christina.

There are several strategies of flouting maxims proposed by Cutting (2002) which were applied in the previous researches; they are: give too little information, give too much information, metaphor, hyperbole, irony, banter, being irrelevant, and being obscure. Meanwhile, based on observation that the

researcher did in courtroom of Administrative Court, the researcher found that, the strategy which the people used in the courtroom is different with the theory by Cutting (2002) about the strategies to flout maxim as it can be seen in the following dialogue.

- Hakim* : Baiklah, kepada pihak penggugat dan tergugat, apakah ada yang ingin ditambahkan lagi?
- Judge : Alright, to the Defendant and Litigant, anything else?
- Tergugat* : Tidak pak Hakim, akan tetapi **bila diizinkan** kami meminta agar sidang ditunda selama 7 hari, karena kami akan menghadirkan saksi-saksi, Yang mulia.
- Defendant : No, Your Honest, but if it is allowed, we would like to request to postpone the trial for 7 days, because we will present the witnesses, Your Honest.

It can be seen that, in the dialogue above, the attorney of defendant offered to the Judge to give permission or not to give permission to his request about delaying the court session which was not explained or proposed by Cutting or the findings in previous researches.

Based on the previous researches on flouting maxim, it is concluded that flouting maxims can be found in any situation engaged with communication, whether it is written or spoken. Then, relate with the finding in observation which the researcher did, so, the researcher decided to analyze the flouting of maxim in the courtroom of Administrative Court because it was one of realities which people flout the maxim in order to mean something by not saying what they mean directly in order to get something or ask for something. The researcher chose the courtroom of Administrative Court by analyzing the flouting of maxim through

the conversation among the people involved in the court and the motivation of the characters flouted the maxim.

To conclude, this research aimed to reveal and analyze the flouting of maxim done by the people in courtroom of Administrative Court. This research hopefully can find the reasons why people flout maxims in courtroom and their motivation in doing it.

### **1.2 Problems of the Study**

Based on the explanation given in the background, the problems of the study were formulated in the following questions.

1. What types of flouting maxims are realized in the courtroom of Administrative Court?
2. How are the flouting maxims realized in the courtroom of Administrative Court?
3. Why are the flouting maxims realized in the ways they are?

### **1.3 The Objective of the Study**

The objectives of study were described as follows:

1. to find out the types of flouting maxims in courtroom, specifically in Administrative Court
2. to elaborate how people flout maxims in the courtroom context, specifically in Administrative Court
3. to explain the reason why people flout maxims in the courtroom.

#### **1.4 The Scope of the Study**

This study was attempted to investigate the flouting maxims in courtroom context. The flouting maxims which are found in the Administrative court trials uttered in the court context would be observed in this study. The study was limited to the occurrences of flouting maxims by people in the courtroom of Administrative Court by using the theory of conversational maxims.

#### **1.5 The Significance of the Study**

The findings of this study are expected to be useful theoretically and practically. Theoretically, the findings of this study were expected to give contribution to linguistic theories in the field of pragmatics especially in flouting maxims and the development of studies related to flouting maxims. In addition, the findings can be references for further studies related to interactional language.

Practically, it was hoped to be useful to be a reference for the university students majoring in linguistics who are interested in studying and conducting any further studies about flouting maxims. For speakers and listeners in daily conversation, the knowledge of flouting maxim would help them to create a better and more effective communication.