Flouting Maxims in the Courtroom of Administrative Court

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Abstract- **Grice's Cooperative Principles consist of a set of maxims which are fundamental to establish effective communication. However, people tend to fail inobserving certain maxims. This paper is aimed to describe the types of flouting maxims in courtroom, specifically in Administrative Court 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.Descriptive qualitative research was applied in this research. The data in thisresearch were clauses which consist of flouting maxims in the courtroom of Administrative Court.The source of the data wastaken from the courtroom of Administrative Court. The recordedcases were about land affairs and employment, because cases which handled by Administrative Courts are those kinds of cases. The data was collected through observation, video-recording, transcribing, sorting, enlisting, and arranging the obtainable data systematically.The data was analysed by using Grice's theory of Maxim (1975) as the guidance to select the appropriate data in this study.**

Keywords: cooperative principles, maxim flouting, courtroom, Administrative Court

I. INTRODUCTION

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. Thao (2005) stated 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.*" In short, 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. 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 flouting of 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 conversational implicature to achieve their purposes. Another flouting maxim was also found on forensic linguistics research by Catoto (2017). 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. 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.

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 is 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.The objective of study is to describe the types of flouting maxims in courtroom, specifically in Administrative Court.

II.   RESEARCH METHODOLOGY

The researcher used qualitative research. This study can be classified as qualitative approach since the data are in form of words or sentence not a number or statistic (Ary, et al., 2002, p. 425). Here, the researcher analyzes the flouting maxim in the courtroom of Administrative Courtusing Grice's theory. The type of the research is descriptive qualitative since the researcher describes the meaning of the flouting maxim in the courtroom of Administrative Court. The analysis of this research is document analysis because the researcher analyzes the utterances the courtroom of Administrative Court.

The data in this study are clauses which consist of flouting maxims in the courtroom of Administrative Court. The data source of this research is taken from the courtroom of Administrative Court. The cases recorded will be about land affairs and employment, because cases which handled by Administrative Courts are those kinds of cases. The research will record every court session of three cases about land affairs and employment, so the data will be interrelated each other and complete. After the recordings being transcribed, the researcher will take the data from the clauses that are flouted and interview the people who flouted maxims during the sessions to find out the reasons. The data then will be analysed by using Grice's theory of Maxim (1975)as the guidance to select the appropriate data in this study.

In qualitative research, the researcher himself/herself is the key instrument of qualitative research (Bogdan and Biklen : 1992: 97). In line with that, Venderstoep and Johnston (2009: 174), the researcher has the role in interpreting the research's discussion with his/her own explanation. Therefore, the researcher has an important role in all steps. Besides that, interview to the flouting maxims speaker in the court sessions will also be used as the secondary instrument.

In the data collection, the researcher uses the following steps.
1. Observation, by observing teaching-learning process, the researcher can get the data from natural situation.
2. Video-recording, as the courtroom interaction flows quickly, video-recording is needed to help capturing the interaction among the people in the courtroom.
3. Transcribing the clauses taken from video recording.

4. Sorting clauses which flout the conversational maxim.
5. Enlisting the sorted clauses based on the type conversational maxim that being flouted.
6. Arranging the obtainable data systematically.
The data analysis can be elaborated as follows:
1. Data Reduction
2. Data Display
3. Data Analysis
4. Conclusion Drawing

III.   DATA ANALYSIS, FINDINGS AND DISCUSSION

A.   Maxim Flouting of Quantity
Data

Tergugat   : *Jadi ini gak papa masuk jadi bukti yang Mulia?*

Hakim   *: Iya, jadi nanti, di situlah bagian ruang saudara untuk membantahnya dari gugatan ini. Yakan?Sepakat?Majelis akan melihat apa yang dia minta, kang ini, baik melalui bukti yang ini maupun yang itu. Kan kira-kira begitu. Majelis juga mempertimbangkan ini, kan kira-kira begitu.*

From the data above, it can be seen that the Judge gave too much explanation to the question of the Defendant. It showed that the Judge was trying to convince the defendant about his answer to the given question.

B.   Maxim Flouting of Relevance

Data 2

Hakim   : *Baik, surat kuasa tergugat sudah siap?*

Tergugat   : *Aduh, ketinggalan, yang Mulia, tadi buru-buru.*

Hakim   : *Ha, inilah orang mau perang gak bawa senjata, begini, ya kan?*

From the data above, it can be seen that the Defendant gave an irrelevant answer to the Judge's question. It showed that the Defendant was avoiding the anger of the Judge because he didn't bring the letter of attorney by his agency.

Data 3

Hakim   : Pasti. Kalau surat kuasa saja tidak ada dan tidak bawa, pasti surat jawabannya belum siap. Pasti. *Minta berapa lama waktunya?*

Tergugat : *Dicari dulu, yang Mulia.*

From the data above, it can be seen that the Defendant gave an irrelevant answer to the Judge's question. It showed that the Defendant was trying to get the best deal for his goodness on the case. He tried to get the best possibility about the time he could give the answer to the lawsuit.

In the data analysis, it was found that people in administrative court, mostly used maxim flouting of quantity and maxim flouting of relevance. Maxim flouting of relevance was the most used maxim flouting in administrative court.

ACKNOWLEDGEMENT

R.B.G thanks goes to her two advisors, Dr. Anni Holila Pulungan, PhD as her first advisor and Dr. Rahmad Husein Napitupulu, M.Ed as her second advisor for their all guidance, assistant, encouragement, and valuable suggestions through the completion of this thesis.

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