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Pragmatics Implicature Analysis of Police Interrogation: Forensic Linguistics Analysis

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ABSTRACT--Language is a means for speakers to express their opinions and ideas. In the legal context, communication made between investigators and witnesses or suspects is created in such a way that the message is conveyed properly. Elements of communication are needed, especially by witnesses or suspects who are being interrogated by the police. Interrogators will be able to convey their hearts and minds precisely when interrogators use humane methods, including conversational implicature. The purpose of this study is to conduct forensic interrogation to identify the implications of language conversation from the perspective of the symbolic meaning of legal language. The research population is the language used by the interrogators and those involved in the interrogation. The sample is a conversation during an interrogation in a case of fraud and traffic. Data collection is done by using transcription data obtained which is then analyzed. The principle of discourse analysis is used to analyze data based on conversational implicature. The formal method is used to describe the forms and patterns of interrogation languages, while the informal method is used to classify data based on the implications of the speaker's conversation. The results of this study indicate that the use of conversational implicature in the police interrogation process can create humanist communication without having to use violent techniques. Investigators need to know more about the implicature of the conversation.

Keywords-- Forensic linguistics, Implicature, Implied Meaning, Pragmatic, Police Interrogation.

I. INTRODUCTION

Language is a means of communication used by the speaker to reveal the hearts and minds. The purpose of speech can be delivered well if it is supported by situations and conditions that are comfortable and humane by using conversational implicature. This condition is needed especially by speakers who are being interrogated by the police. The conversational implicature facilitates the interrogation process if the interrogation is silent, lying, or convoluted.

Constable (2014) argues that language is necessary to enforce the law. The success of the performance depends on the possibility of using the language. In language investigations, police officers can issue an order, issued a warrant, question suspects, give testimony, write a confession and contracts, assess evidence and refute it. Investigations of police interrogations often try to understand how gestures and speech emotions are related to confession. The language used by the interrogators and the suspect refers to the method of collecting information and is either true or false (Kassin, Goldstein, & Savitsky, 2003 and MacKeith, 2006).

It is commonly known that police interrogation is the main investigate approach by the police to obtain a confession to a crime (Evans, 2010; Baldwin, 1993). The main function of the interrogation process is also

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integrated with other objectives such as resolving other related crimes, finding stolen items, and exonerating innocent people (Moston & Engelberg, 1993).

A research conducted by Pearse & Gudjonsson (1996) who tried to highlight the recording of police suspects interrogations in London found that the main purpose of the interrogation is to trace what happened and find out if a crime has sufficient evidence or not. But in many cases, confession is the primary goal of the interrogators, not information.

The interrogation process, similar to the process of arrest, is one of a tool in which prisoners face extremely high risks of arbitrary or abuse of authority. In places where the occurrence of police in investigating criminal actions is weak, the risk of police officers for arbitrary treatment is higher. The clarity of procedures on how to properly interrogate is the most reliable security measure.

In most cases, the interrogation process will be carried out if the information obtained by the interrogator is necessary to interrogate the suspect, and this is the proper procedure (Verhoeven, 2016). Police interrogation will be conducted to ensure that the suspect's involvement in a crime. As mentioned by Leahy & Bull (2017) in many cases, the suspect was not given the opportunity to defend their accusations. In other words, the suspected should be doing an acknowledgment of a case, although the suspected does not necessarily do it. In Indonesia, there were some changes in the law that led to significant changes in the process of police interrogation when a new law was introduced and authorized by the President on December 31st, 1981 with a law number 8, 1981. This law is known as *Kitab Undang-Undang Hukum Acara Pidana (KUHAP)*.

The field of forensic linguistics has been growing in recent times. As mentioned above that forensic linguistics refers to the relationship between language and law in all its forms (Zariruddin, 2016; Anesa, 2013). The importance of using forensic linguistics is when many linguists are selected for participation in the court. By using their knowledge and professionalism, linguists can offer opinions that can be considered as evidence. Forensic linguists are interested in understanding linguistic law, its complexity and its origin, and also the use of language in forensic procedures. They also study the judicial process from point of arrest, and through the interview, charge, trial and sentencing stages (Ariani et al., 2014).

Implicature or implied meaning is an indirect expression in the form of an expression that is not explicit in the vocabulary literally. Understanding the implicature requires knowledge and understanding of pragmatic rules according to the context of the conversation. Implicature is the use of language in the field of pragmatics which includes four explanatory concepts, namely linguistic facts that are not covered by linguistic theory, meaning different from those said outwardly, simplifying the structure and content of semantic descriptions, and explaining some language facts precisely (Levinson, 1983; Mey, 2001).

Furthermore, implicature used to take into account what is suggested or what is meant by the speaker as something different from what is stated literally (Brown & Yule, 1983). Following Grice (1975), Wijana (1996) suggests that implicature or implied meaning is used to solve the problem of the meaning of the language that cannot be solved by semantic theory.

Forensic linguistic analysis of the conversational implicature from the perspective of the symbolic meaning of legal language is interesting to be studied because of public assumptions about the emergence of acts of violence during the interrogation process in the police. Conversational implicature is one strategy to avoid the use of violence as an effort to prevent violations of the law in the execution of police duties. In other words, conversational

implicature (CI) is important in both the philosophy of language and pragmatics, the branch of linguistics which studies how human languages are actually used (Grice, 1975).

The purpose of this study is to describe the form and analysis of conversational implicature in police interrogation from the perspective of the symbolic meaning of legal language and to describe the study of forensic linguistics in interrogation in the police from the perspective of the symbolic meaning of legal language.

II. METHOD

This qualitative study uses the data in the form of utterances during questioning in the police. The study population was the language used by interrogators and witnesses or suspects. Samples were taken randomly during interrogation in the police by using the recording and transcription of data. Discourse analysis is used to analyze the conversational implicatures (Brown & Yule, 1986). The identity method is used to analyze data with the basic technique of determining the determination of elements (PUP) and sophisticated facilities. The analysis is conducted by considering aspects, elements, and the nature of the text used to describe a form of conversational implicature conversational police interrogation, while the forensic linguistic studies are used to classify the speech from the perspective of the symbolic meaning of the legal language (Sudaryanto, 2015).

III. RESULT AND DISCUSSION

The language used by humans is not a static language, but a language that always develops according to human needs as its users. Various phenomena that arise in practical life will greatly affect a language. Often language rules are agreed to be stagnant in dealing with the phenomenon of language use at a practical level.

Language assessments at the structural level alone often do not produce maximal studies. The practical conditions of using language are often "out" of structural rules, but the communication process that occurs does not encounter problems and instead results in more effective and efficient communication. That is what drives the study of a language not only from a structural perspective, but must also be linked to aspects outside the structure of language.

One part of pragmatic studies is the conversational implicature. In communication, it is certain that a conversation will occur. The conversations that occur between those involved often contain certain objectives that differ from the structure of the language used. In this condition, the use of language often has a hidden purpose behind the structural use of language. In such conditions, conversational implicature studies have an appropriate role to study the use of language.

The forensic linguistic study of the conversational implicatures from the perspective of the symbolic meaning of the legal language described in the description of the following analysis.

1. Analysis of conversational implicature with Interrogation Forensic Linguistics.

The following is a form of conversational implicature found in the interrogation discourse in the police.

a) Are you physically, mentally and willing to be confronted?

This question is often asked by investigators to witnesses or suspects when the interrogation process begins. The implication containing in this question is that the interrogator wants to ensure that the witness or suspect is

really ready to be interrogated. However, another thing to convey is whether or not there is a legal representative who will assist during the examination. The implicature functions as a self-assessment, whether the witness understands who he is and what he will do. The witness that can assess himself will assist the investigator in meeting the needs of the investigation and also the needs of the witness himself.

b) "When did you last see your vehicle registration number?"

The police avoid the question of cornering into being interrogated in a traffic raid case with the question, "When was the last time you paid vehicle tax?" The implication containing in that question is that the interrogator wants to get an answer from being interrogated as follows: the driver is suspected of having a stolen motorcycle or never paying vehicle tax at all. The cornering questions in the case of traffic raids such as "Your vehicle are late for taxes, understand?"

c) "Do you agree?"

The question "Do you agree?" It contains the implication of a conversation where the interrogator directs the interrogator to approve the statement made previously by the interrogator, namely: "I am Sumadi, and this is Mr. Zainal, my friend. We were in this room, Wednesday, October 30, 2019. Also present were Novi, and Febri. Mr. Zainal and I made a question about the alleged Fraud. I will ask you a few questions about this case, and my questions and your answers will be noted. Do you agree if we record this interview? Please write your full name, date of birth, and occupation. "The answer from being interrogated is: "Yes" which is the answer according to the wishes and objectives of the interrogator's statement.

Interrogators avoid statements that appear to be pressing, for example: "I am Sumadi, a rank of Bripda, NRP 9999999 position as chief investigator, accompanied by Zainal's *Kanit* position. On this day, Wednesday, October 30, 2019, around 3 o'clock, a questioning was conducted on a man I did not know and after being questioned claimed to be named Danang in a fraud case. Furthermore, this interrogation will be recorded. Do you agree? "

This implicature is useful as forming the perspective frame so that the investigator and witness have the same knowledge and agreement on what will be discussed and explained in the investigation. This type of direct questioning requires investigators to build common ground with witnesses.

d) "What actually happened? Describe it!"

The implication of this question is to expect specific answers from being interrogated about events that have occurred. Actually, this question can be answered by saying "Yes or I don't know." This question replaces the cornering question, such as: "Why do you avoid it if you have debt?" Or "Why do you do that?" This type of question can be denied by being interrogated. In other words, the question should only be answered elliptically using yes or no. But the word 'explain' used by the investigator in this question leads the witness to answer the question by adding information other than repeating the question raised by the investigator. The witness directly detailed his role in the legal case. The investigator directs the witness to inform the truth of the fraud.

e) "You say ... Do you know ...?"

The complete question is: "You say that you have no debt. Do you know when 190 million was received? "The interrogated answer is "I forget whenever I receive the money "in accordance with the expectations and objectives

of the interrogator to get an answer about the certainty of who receives it. The cornering questions are "When was the 190 million received?" Then the interrogator could answer "Don't know" or "I don't have debt". Furthermore, this question is asked by the investigator to direct the witness to answer in the specific direction of the goal. By so doing, the investigator and witness have the same common ground so that the investigator understands and adapts to the context of the questions to be asked in the investigation. This adjustment is useful for forming conversational implicature in the investigation process.

f) "Have you ever handed over money?"

In this part of the question, the investigator returns to the event that actually happened and wants an answer that is the agreement of the suspect. The next question is continued: "Have you ever handed over 190 million?" Questions that are cornering and are likely to be answered incorrectly by interrogation, for example: "Does Danang have a debt to Novi? There is a handover receipt of some 190 million given to you. Correct or not, do you answer now?"

IV. THE PERSPECTIVE OF FORENSIC LINGUISTICS IN POLICE

INTERROGATION OF THE SYMBOLIC MEANING IN LEGAL LANGUAGES

The conversational implicature, when analyzed with forensic linguistics, has symbolic meaning, namely proving crime without breaking the law, such as statements of pressure, intimidation, forced will, and verbal and nonverbal acts of violence (Pratomo, 2012). The conversational implicature is a manifestation of the interrogator's wise attitude in interrogating. The utilization of the conversational implicature creates a comfortable and humane situation.

a) Building Public Trust

Interrogators build trust relationships based on humanitarian considerations because they are interrogated in an uncomfortable situation. The way to build trust depends on gender, age, social background, ethnicity, mother tongue, and mental ability to be interrogated. Building trust is an important factor because being interrogated may fear the impact of talking to an interrogator,

Interrogating is a task that requires careful thought and handling. If done wrong, the risk is getting incomplete information and deliberately misled by being interrogated. Interrogators can start with personal conversations, for example as friends to create a comfortable and humanistic atmosphere. Personal talks are held to break the ice with topics that suit the situation.

b) Humanist

Violence in the investigation process is a behavior that can give the impression to the suspect that he must be guilty. This is very contrary to the principle that is upheld by the rule of law and democracy, namely the presumption of innocence. This principle implies that every person suspected, arrested, detained, prosecuted, and / or presented before a court, must be presumed innocent before there is a permanent legal ruling from the court.

Investigators are required to have a friendly and wise person that is, being patient and empathetic, even if they are interrogated in convoluted ways. The humanist attitude is demonstrated by being aware of one's nature, namely observing oneself in words and actions from an interrogated point of view. The bad behavior of the investigators in conducting the investigation process gave a bad image for the Police. Therefore, in addition to the policy to conduct surveillance of investigations, the National Police has also improved by carrying out bureaucratic reforms to further strengthen the Polri's firm and humanist image as a basis for building partnerships and local, national, regional and global arrangements while creating public trust.

Listening activities are not passive activities, because they must consider body language carefully to apply the implicature of the conversation in accordance with the communication situation. A comfortable and humanistic atmosphere is one of the police services, which treats all people humanely and still respects interrogated self-esteem.

V. DISCUSSION

The Roles of Forensic Linguistics in Police Interrogation

False confessions tend to result from ambiguous statements. Personal and situational factors within the interrogation room can cause the suspects to provide ambiguous confessions (Kassin, 2014). Avoiding the interrogation process so that the suspect can escape the law is one of the personal factors that appear. From situational factors, confrontation interrogation such as giving irrelevant questions is not an effective way of encouraging the suspects to speak and cooperate (Deeb et al., 2018).

Forensic linguistics involves the topics of the language of judges, lawyers, witnesses, criminals, and civil cases (Fielding, 2013). Forensic linguistics includes the analysis of written and spoken language for legal purposes (Office & Court, 2015). Some forms of forensic linguistic evidence are consistently used in criminal courts, such as text, email and chat analysis have been conducted to present clear evidence in a court (Lisina, 2013).

As observation by Määttä (2015), interviews become one of the steps being taken by law enforcement agencies in solving criminal cases that can cause several problems. It's related to the explicit and implicit meaning presence of written texts. This study highlighted the service of an interpreter and found that the points of view of the interpreter, sociolinguistics and interpreting studies can be an excellent source of knowledge in reading this case. Therefore, in interpreting a text it should highlight the construction of the language thoroughly. It is because each type of document has a different structure and context.

Linguistic principles such as discourse analysis or speech analysis, language theory and speech act theory will be used by the forensic linguists to give their opinions in a court (Ramezani, Sani, & Moghadam, 2016). The contribution of a linguist is very helpful for the interrogators in understanding an acknowledgment or interpreting a statement that might have meant lost unconsciously (Correa, 2013). In addressing the conflict of crime and linguistic data, a study by Kredens (2016) found that the interrogators showed an understanding of the interpreter's analysis. Based on this study, the interpreter and the interrogators have the same goals, such as the success of communication. Most of the interpreters will be asked for their analysis by the police in resolving the cases that involve a language in several crimes faced by suspects.

Forensic linguistics had been used to identify many linguistic problems in police interrogations (Shuy, 2011). A central issue in forensic linguistics is the role of linguists in helping the court to seek hidden meanings and then draw the correct conclusions (Rajamanickam & Rahim, 2013). The main point in this section is the authority to decide a case is the right of police, the responsibility of a linguist is only to give opinions on important matters related to the language analysis.

In Indonesia, language has an important key in the legal system. The investigator shall inform the suspect clearly and use a language that can be understood by the suspects about what suspected (Doringin, 2014). The description of the investigation and including the use of language in the process of investigation is contained in the Criminal Code Procedure, in Chapter XIV (Investigation) Part Two of the "Investigation", including Articles 106 to 136, regulates a number of investigator's obligations in investigative the suspect. The point here is interrogation consist of question and answer form to the suspect.

The Perspective of Implicature

On the other hand, implicature is one part of pragmatics. With regard to understanding, here are some notions of implicature proposed by linguists. According to Benotti & Blackburn (2001), the term implicature is used to describe what might be interpreted, suggested, or intended by a speaker that is different from what the speaker is actually saying. That opinion rests on a meaning that is different from the meaning of speech literally.

In line with that opinion, Grice (1975) shows that an implicature is a proposition that is implied through the utterance of a sentence in a context, even though the proposition itself is not a part of what was stated previously (Potts, 2015). It is almost the same as the opinion of Brown & Yule (1986), but Grice tries to relate a context that surrounds a speech that gives meaning. In short, Grice said the implicature of conversation is one aspect of pragmatic study whose main concern was to study 'the meaning of a speech' in accordance with the context. The conversational implicature is used to explain the implicit meaning behind "what is said or written" as "something that is applied".

The characteristics of a conversational implicature are basically the same. The above question can be concluded that a conversational implicature has characteristics, namely: (1) A conversation implicature can be canceled in certain cases (cancellability), (2) Usually there is no other way to say what is said and still maintains the implicature concerned (nondetachable), (3) The conversational implicature requires prior knowledge of the conventional meaning of the sentence used (nonconventional), and (4) The truth of the contents of a speech implicature is not dependent on the truth being said (calculable).

Grice's theory says that the implicature is divided into three types, namely conventional implication, conversation, and presupposition. The six questions above are a type of conversational implicature (non-conventional implicature). The non-conventional or conversational implicature is a pragmatic implication implicit in a conversation and the data is in the context of the police interrogation of witnesses and suspects. The conversational implicature appears in a conversation act.

In the police interrogation setting, the investigator has arranged an interrogation device in such a way as the cooperative principle that can guide people's actions in the conversation itself. The conversations above on the basis of cooperation adhere to the four maxim of conversation, namely: maxims of quantity, maxims of quality, maxims of relevance, and maxims of manner (Grice, 1975).

The principle of cooperation which is elaborated in the four maxims is regulative. Therefore, normatively every conversation must obey it. However, sometimes the principle is not always obeyed so that there have been found many "violations" of the rules/principles of cooperation in a conversation. Violation of that principle does not mean "damage" or "failure" in the conversation (communication). The violation could be intentionally done by the speaker so as to obtain the effect of the implicature in the speech he uttered.

The Nature of Context

Context is the knowledge that both speakers and listeners have so that listeners understand what is meant by the speaker (Kridalaksana, 2013). Meanwhile, Sobur (2001) states that context includes all situations and things that are outside the text and affect the use of language, such as participants in the language, the situation the text is produced, the intended function, and so on. Mulyana (2005) also mentioned that context is the situation or setting in which communication occurs. Context can be considered as the cause and reason for a conversation or dialogue. Everything related to the speech, whether it relates to the meaning, purpose, or information, very much depends on the context behind the speech event.

According to Halliday (1992), the context and text of the term are put together, bearing in mind that these two things are aspects of the same process. There is a text and there is another text accompanying it called context. Based on a number of opinions about the context understanding above, it can be concluded that the existence of context is very necessary for a speech event. Context is the part that accompanies the text. The meaning in a sentence or utterance can be said to be true if it is known from where the sentence or speech exists. According to Mulyana (2005), the context consists of several things, namely the situation, participation, time, place, scene, topic, event, form, message, code, and channel.

VI. CONCLUSION

The conclusion from the results of this study is that first, the implicature in interrogation conversation is a strategy to uncover the true recognition of being interrogated without committing acts of violence. Second, the conversational implicature can assist the interrogation process with a humanist character. Third, the conversational implicature in pragmatic theory produces an interrogation language model that can be used by interrogators to obtain information from interrogations without pressure and force. In other words, the use of conversational implicature in the interrogation conducted by the investigator aims as a bridge between the investigator and the person concerned so that the investigator can uncover the actual occurrence without making the witness cornered and hinder the investigation process.

The results of forensic linguistic analysis in interrogation conversations prove that the rules of discourse analysis based on a pragmatic approach can be applied to reveal the symbolic meaning of legal language, namely by the implications of conversation. Conversation discourse on the language of interrogation must consider verbal and non-verbal language to create a comfortable situation and realize humanist communication in interrogation in the police. In its function of use, the implicature is used by the investigator to show a positive face or build a friendly image in the presence of witnesses or suspects. It also becomes the media in conveying certain intentions in a subtle way.

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