

# Participants' Tenor of Discourse in Indonesia's Court Trial Cyanide Case

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## **Abstract**

This article accomplishes to explore participant's tenor of discourse in Indonesia's court trial cyanide case by using four aspects of tenor are played in court trial process (Seragih, 2014). The implication tenor of discourse in Indonesia's court trial cyanide case is social role relationship played by participants (Halliday, 2002; 2014). The social role relationship among of participants is purposed to make audiences understand the text structure court trial easily and to invite them to do something toward meaning of process. This research used descriptive

qualitative method. The data of this study were taken from some sources in you tube. The data were transcripts into Indonesian language orthographically from seventeen dialog conversation which delivered in different session of court trial. The tenor of discourse in Indonesia's court trial cyanide case how lawyers and prosecutors dominant asked witness and expert testimony to prove defendant as murder. Finally, we found that the most dominant used tenor of discourse that appear from each session in text structure of court trial was [formal/equal/positive/frequent].

**Keywords:** Participant, Tenor of discourse, Cyanide case, Indonesia's court trial

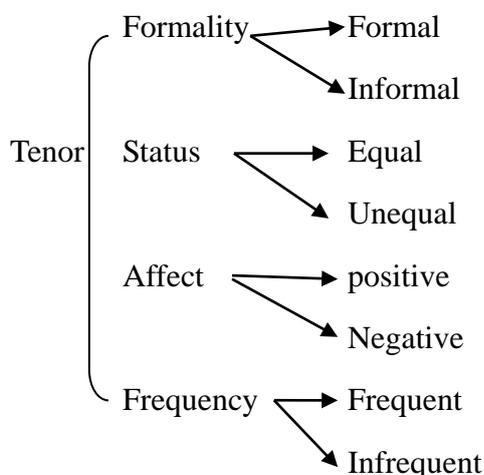
## 1. Introduction

One of the famous language phenomena that ever got attention for Indonesia society was cyanide case. The court trial process has broadcast on various sources from news media Indonesia television. This case has victim 'Mirna' as a friend of murder namely 'Jessica'. Jessica as defendant has been planned attack her own friend by cyanide poison into her coffee after she got inviting dinner her friend together at Olivier café. On October 27, 2016 Jessica was found guilty by judge in the South Jakarta district court. Jessica was got punishment for 20 years in prison because evidently committed murder of her friend 'Mirna' related to 340 criminal code procedure. The verdict of the Tribunal judges much lighter when compared to the demands of the previously demanding from prosecutors with the threat of the death penalty. Cyanide poison case is interested to do the research because we may see the social relationship between these two groups are prosecutor and lawyer from different session, their roles and statues related context of situation that determine the language used in court trial process. Based on the above cases, the use of language is inseparable from the broadcasting news media Indonesia television. Language not only as a medium to communicate, but also to represent reality based on language phenomena. In addition, the language was also able to see the tenor of discourse as strategy to dominate language used to deliver the meaning to Indonesia society audiences. Otherwise, in that case tend to contain dubious statements delivered by prosecutor and lawyer to obtain information from witnesses and experts who are presented. These statement are given many perceptions in the determination, evaluation, and considerations of judge.

Refers to context of situation above, Halliday & Hasan (1992) divided context situation into three components or features corresponding to three meta-functions: field of discourse, tenor of discourse, and mode of discourse. These three features of context of situation will help audiences to interpret meaning of text related to context of situation in law and court trial. In this research, we focus on tenor of discourse because it is represent present language phenomena and analyzing tenor can find how prosecutors and lawyer influence audiences. The authors choose Indonesia's court trial cyanide case because they are the great language phenomena who lead us to follow the each session of court trial cyanide case process. They could make significant effect to Indonesia's society audiences and bring them into court trial context.

Based on context and situation above, There were three parts of textual structure as text procedure in court trial cyanide case such as opening text structure, body text structure, and closing text structure (Cotterill, 2003). Another opinion about text structure explained by Purnanto (2011). He categorized text structure into eight phases in courtroom process, (1) The textual of opening phase, (2) The Interrogation of the defendant phase, (3) The indictment reading by the general prosecutors phase, (4) The question phase as to objection from defendant, (5) The Interrogation phase of the witness and expert, (6) The indictment reading phase by prosecutors, (7) The verdict reading phase, and (8) closing phase. In this study is used to apply the textual structure as text procedure from Coterrill (2003), for example opening text structure, body text structure, and closing text structure.

The tenor of discourse could be seen implied by Seragih (2014) theory as presented in following schema



Saragih (2014) states that tenor is configured by four aspects namely status or power, the level of formality, affective relations, and frequency of contact among of participants in court trial cyanide case.

(1) Formality

Formality refers to manners related to situation in which the interaction occurs. The situation where participants interact could be formal or informal. A formal situation is one where manners of interaction are predetermined and an informal situation is one where no manners of interaction are predetermined.

(2) Status

Status refers to power relationship of participants in the interaction. Power can be seen as the ability to force others. Someone has power if he can make others do or not do what he wants. The status of the tenor can be equal or unequal.

(2) Affect

Affect indicates arousals in emotional aspect of the participants in the interaction. Specifically it indicates whether participants in that interaction like or dislike one another. Affect can also be positive affect and negative affect.

(4) Contact

Contact refers to the frequency of interaction that can be frequent or infrequent. The frequent contact means that participants have done some interactions. On the other hand infrequent contact shows that the participants seldom do interaction or have just done the first contact.

**2. Review of Literature**

Sari in her thesis entitled “Tenor Configurations in Campaign Speeches of Two Democratic Party Presidential Candidates 2016 (2017) states that knowing the social relationship is

played by addressee and addresser in political situation based on four aspects of tenor of discourse from Systemic Functional Linguistics (SFL). The purposed of her research to make reader understand the speech easily and persuade reader to do something as the speech means. She found the most dominant configuration that appears in the campaign speeches is (Formal/Equal/Positive/Infrequent].

Koutchadé and Mehouénou (2016) explain about “Male-Female Characters’ Tenor of Discourse in Akachi Ezeigbo’s *The Last of the Strong Ones*”. He further adopted Halliday perspective to their analysis that tenor of the discourse is the social role relationships played by interactants and associated with the grammar of interpersonal meaning through the mood patterns of grammar. His analyses mood of system, modality, and vocatives reveals how male and female character establish relationships between each other. In accordance with his findings that there is exist an atmosphere of tension, distance, aggression, and dominance between some characters of the novel.

Turner and Wong (2010) conducted their study entitled “Tenor of Discourse in Translated Diglossic Indonesian Film Subtitles”. The purposed of his research is examined the challenges posed by the diglossic nature of the Indonesian language in translating film dialogue into English-language subtitle. Indonesian is an unusual language in that it has emerged as viable national language following decolonization. It has developed diglossic characteristics for six decades, it makes complex shift in tenor of discourse has used the diglossic nature of Indonesian subtitle. The result of his analysis show that the translation of film subtitle into English in the film has failed to reflect changes in tenor of discourse expressed by diglossic means. Then, recent evolution of Indonesian into a diglossic has serious ramifications for international appreciation of Indonesian film and advocates more interest in this field.

Taiwo (2007) conducted a research entitled “Tenor in Electric Media Christian Discourse in Nigeria”. Taiwo conducted tenor in electronic media discourse in Nigeria. The research found: firstly, the internet as an medium for disseminating Christian message has a different mode from the radio and television. The internet discourse in Nigeria is conducted in English since advertising the Church or Christian ministry. Secondly, the vocative form is neural and the mood patterns of the clause types are typically declarative. Thirdly, the personal tenor is that the preacher as the expert. Fourthly, the functional tenor is to persuade, exhort, and challenge the hearer/reader. Fifthly, electronic media Christian discourse in Nigeria is lack of kind of reciprocity that characterizes casual conversation. Sixthly, the preacher is usually the dominant speaker and he determines how his imaginary audience will respond to his message, which is typically characterized by information and directive.

### **3. Methodology**

This study applied qualitative method by using tenor of discourse. The purposes of this study was to describe relationship among of participants in Indonesia’s court trial cyanide case. The aspects of tenor of discourse are formality, status, affect, and contact by using Systemic Functional Linguistics. Data collection method used in this study was observation method. The data was taken from seventeen the dialog conversation in you tube. Then, data will be

transcript into Indonesian language orthographically. This observation method was followed by note taking technique in order to extract each session dialog conversation which underlying tenor of discourse.

#### 4. Discussion and Interpretation of Findings

Based on the Indonesian language transcript of cyanide case in Indonesia court trial were analyzed and classified into three potentials tenor of discourse refers to the textual structure in Indonesia's court trial cyanide case process, they are:

1. Opening textual structure [Formal/Equal/Positive/Frequent]
2. Body textual structure text [informal/Unequal/Negative/Infrequent]
3. Closing textual structure [Formal/Equal/Positive/Frequent]

Our three potentials tenor of discourse were employed in court trial cyanide case. The following are example of each the textual structure phases.

- (1) The opening textual structure [Formal/ Equal /Positive /frequent]

In opening textual structure, judge stated that the case is open for public. This court trial cyanide case process refers to No. 777/PITB/2016/PN central Jakarta. Here are the example

Citation 1

*Hakim* : “*Sidang perkara pidana atas nama Jessica Kumala alias Jessica Kumala Wongso alias Jess No. 777/PITB/2016/PN Jakarta Pusat dibuka dan dinyatakan terbuka untuk umum*”.

*Judge* : “This criminal court trial hearing for Jessica Kumala, who is otherwise called Jessica Kumala Wongso or Jess No. 777/PITB/2016/PN central Jakarta District court trial, is opened and declared to be opened to the public”.

Citation (1) above is a form of tenor of discourse in opening text structure, judge stated to open court trial cyanide case open for public. It means that the audiences can see the real language phenomena to represent tenor of discourse. It can be seen the explanation below.

- a. The formality aspect is formal that judge wanted to open the court criminal trial process. It is strengthened by formal word “open to the public”.
- b. Judge puts equal status to address to prosecutors, lawyer, and defendant implicitly without mentioning them one by one because they already in court trial.
- c. The affect shown is positive, it is because of expression address to all participants in the courtroom trial pleasant. It shows judge stated the court criminal trial is opened.
- d. The contact here is frequent because judge speaks to all participants and it doesn't need answer. It is strengthened by ‘open to the public’ instead of

opening statement in opening text structure.

(2) The body textual structure [informal/Unequal/Negative/infrequent]

In content structure, court trial cyanide case had to present forensic pathology expert of Cipto Mangun Kusuma Hospital from Indonesia University namely dr. Djadja Surya Atmadja. Here are the example of dialog conversation below

Citation 2

*JPU : Data yang anda terima menyangkut kesimpulan anda tadi, mati korban bukan karena sianida. Betul demikian*

*Dr. DSA : Ya pak*

*JPU : Baik kalau begitu saya minta detail, data apa saja, biar nanti kita bisa komper dengan data- data lain*

*Dr. DSA : Begini pak ya, kembali kalau tadi saya bilang, kalau seorang dokter forensic*

*JPU : Bukan waktu terbatas. Jadi, saya minta datanya saja, anda juga harus fokus.*

*Dr. DSA : Lihat datanya dulu, Bapak meminta saya untuk menafsirkan hasil lab ini*

*JPU : Data yang anda terima dari pihak pengacara, apa saja yang di minta analisa itu sampai ada kesimpulan. itu lho!*

*Dr. DSA : Kan sudah ditayangkan tadi*

*JPU : Bukan, minta dari dia pak ya!, ini waktu juga terbatas, anda juga harus fokus.*

*Sekarang begini pak, dari hasil pemeriksaan dokter waktu otopsi*

*Dr. DSA : Coba lihat hasil visum*

*JPU : Dari hasil pemeriksaan dokter. Satu, hasil visum Mirna*

*JPU : Anda itu tau apa yang anda analisa?*

*Pengacara : Saudara ketua, saya minta saudara menghormati ahli. Jangan main bentak-bentak saja, tidak sopan*

*JPU : Bukan seperti itu pak. Jangan tunjuk tangan dulu yang dibelakang ya. Pak, bapak bawa data tidak yang bapak analisa itu?*

*Dr. DSA : Tidak*

*JPU : Tidak bawa data. Anda ingat tidak yang sudah anda analisa*

*Otto Hasibuan : ada di situ*

*JPU : Saya tidak menanya pengacara, saya tidak menanya pengacara ya. Tolong hargai saya juga.*

*Otto Hasibuan : Hormati saksi saya*

*JPU : Saya menghargai anda, anda menghargai saya*

*JPU : Sudahlah anda itu bertanya saja tidak benar ko?*

*Hakim Kisworo : Sudah, sudah, stop dulu*

Here are the citation 2 translated into English:

- Prosecutors : The data has given from lawyer, victim died it is not because cyanide. Is it right?
- Dr. Djadja : Yes sir
- Prosecutor : Okay, I ask detail data, we will compare with other data
- Dr. Djadja : I said before, if forensic doctor
- Prosecutors : We have limited time, so, I only ask the data. You have to focus
- Dr. Djadja : You need to see the data first, you asked me to interpret this laboratory result
- Prosecutor : The data you have given from lawyer, what was your analysis until has conclusion
- Dr. Djadja : It's already broadcast before
- Prosecutor : No, asked from him. We have limited time. You have to focus also. Now, from doctor result autopsy:
- Dr. Djadja : just look at the results of visum
- Prosecutor : Based on doctor's examination result. First, Mirna result of visum. Do you know what your analysis was?
- Lawyer : Judge, I asked him to respect my expert. Don't be snap, impoliteness
- Prosecutor : It was not like that, sir. Do not show the hands used to be the rear of behind. Did you bring the data you have analyzed?
- Dr. Djadja : No
- Prosecutor : Do you still remember what did you analyzed
- Lawyer : There is
- Prosecutor : I don't asked lawyer. So, you may respect me as well
- Lawyer : You also have to respect my expert
- Prosecutor : I respect you, you also respect me
- Judge : You need to follow the court trial code. If not it would be stopped for a moment
- Prosecutor : Never mind you have to ask the unreal one?
- Judge : Stop please

Based on data above, the tenor of discourse in citation (2) illustrates the social relation between prosecutor, lawyer, and judge. Judge wanted to be a fair to both prosecutor and lawyer in order to avoid feud while court trial cyanide case process. As stated explanation below.

- a. The formality is informal that can be seen by context of situation lawyer got chance to present expert from pathology forensic medicine from Indonesia University his name is dr. Djaja Surya Atmadjadja, P.hD. The context of situation is informal because the expert can't answer question from prosecutor and lawyer has to defend expert in front of judge and defendant.
- b. The status based on context of situation is unequal because prosecutor put unequal status to his listener lawyer by pronoun '*saudara*' or '*anda*' or 'you'. Otherwise, judge wanted to be fair in order to stop for a moment the court trial process for both prosecutor and lawyer.

- c. Moreover, affect involves in this utterance is negative, it is caused by the appearance has feud expression such as “respect” and “appreciate” to show their each feeling motion between prosecutor and lawyer.
- d. The employed contact here is infrequent for it uses formal language such as “local dialect” which in formal way can be Indonesian language.

(3) The closing textual structure [Formal/Positive/Equal/Frequent]

The form of tenor of discourse in the court trial cyanide case is realized with [Formal/Positive/Equal/Frequent] like the example in the following citation.

Citation 3

*//...Pada fase ini, hakim membacakan hasil putusan sesuai dengan pertimbangan seluruh keterangan saksi dan saksi ahli yang dihadirkan dipersidangan, baik dari JPU maupun dari penasehat hukum terdakwa. Hasil putusan hakim terdiri atas 377 lembar dan untuk menghemat waktu, maka hakim tidak lagi membacakan hasil dari keterangan saksi dan ahli yang telah dihadirkan karena sudah mendapat persetujuan sebelumnya dari JPU dan penasehat hukum terdakwa. Kemudian, hakim memberi pernyataan apabila setelah mendengar pembacaan putusan, terdakwa boleh mengajukan upaya hukum sebagaimana diatur dalam UU.No.77/PITB/Jakarta Pusat sesuai dengan hak terdakwa untuk mendiskusikannya dengan penasehat hukum...//*

The translation into English:

*//...In this phase, the judge read out the verdict in accordance with the results of the consideration of the whole of witness and expert are presented in court trial cyanide case, either prosecutor or defendant’s lawyer. The results of the verdict of the judges consisted of 377 pieces and in order to save time, judge asked the agreement from prosecutor and defendant’s lawyer not to read out again. Then, the judge gave the statement after the reading of the verdict, the defendant may allow to get legal aid as provided in law No. 77/PITB/Central Jakarta, in accordance with the rights of the defendant to discuss it with lawyer...//*

Citation (3) above depict the social play role as tenor of discourse in closing text structure. The context of situation in citation (3) show that judge asked the agreement of prosecutor and lawyer to not read out again the whole of witness and expert testimonies in front of participants in court trial cyanide case. The following explanation below of tenor of discourse.

- a. The formality of the utterance in this citation (3) is formal. It is because the context of situation of this closing text structure is one of text procedure law in court trial cyanide case.

- b. The status appears in the citation above is equal because judge asked the agreement from prosecutor and lawyer firstly before going to continue read out the final verdict to defendant.
- c. Affect is used there is positive because judge wanted to be fairness in order to ask prosecutor and lawyer agreement
- d. The contact constructed here is frequent because all participants use formal language such as “prosecutor” and “lawyer”.

## 5. Conclusion

Based the data above, here are the explanation of each tenor of discourse

- a. The situation occurs is on closing text structure in court trial process. It is in formal situation because court trial state the process is formal one.
- b. The status of judge brings equal status to address to prosecutors and lawyer because before closing text structure begin, judge asked to prosecutors and lawyer not to repeat the result of expert and witness testimony firstly. They agreed both prosecutors and lawyer about judge decision that not to read again the result of expert and witness testimonies.
- c. Affect in utterance above is positive expression, it shows the agreement both prosecutors and lawyer when judge asked to not read again the result of expert and witness testimony.
- d. The contact was frequent because judge wanted to use time effectively not to read the result of expert and witness testimony.

### 4. Discussion and Interpretation of Findings

As stated in theoretical framework above, the variable of tenor of discourse are status or power, the level of formality, affective relations, and frequency of contact between the participants (Saragih, 2014). Related to variable of tenor of discourse above, tenor is the relationship among participants in communication and interaction can be analyzed and interpreted the meaning of participants based text structure of each phase variable.

Based on this variable, first, there are four aspects of tenor of discourse based on text structure in court trial cyanide case, prosecutors, judge, lawyer, and defendant, they are [Formal/ Equal /Positive /frequent]. Second, the system of tenor consists of four elements, such as formality is formal context of situation use in cyanide case court trial. Status is divided into two, for example equal and unequal. The unequal can be seen from prosecutors asked lawyers in conversely such as ‘*kamu*’, ‘*anda*’, ‘*saudara*’, ‘*you*’. Meanwhile, equal status can be delivered by the name of title ‘*penasehat hukum*’ ‘*lawyer*’. Third, affect is divided into two parts, they are positive and negative. Positive affect is expressed pleasant and agreement face among of participants. Otherwise, negative affect is expressed to feud and disagreement about witness or expert testimony either prosecutors to lawyer or lawyer to

prosecutors. Fourth, contact is divided into two parts frequent and infrequent. The infrequent is full of use formal language such a Indonesian language with local language dialect. Fifth, the tenor of discourse dominantly uses is [Formal/Positive/Equal/Frequent] because the context on situation is in organized into cyanide case court trial process. prosecutors wanted to find the prove as much as possible in order to incriminate defendant as murder and lawyer wanted to denied all prove which addressed to defendant.

## 6. Suggestions

Based on the conclusion, suggestion are stated as the following.

- (1) It is suggested to all audience who watch the cyanide case court trial realize a text in form of conversation dialog in order to know and describe the relationship among of tenor of discourse.
- (2) It is suggested to all researches that for further analyses should focus on context of situation based on Halliday perspective are register consist of field, tenor, and mood.
- (3) It is suggested to further analyses should explore the data based on Systemic Functional Linguistics (SFL) in order to get many output and many aspects of linguistic features.

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