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## **A PIECE OF JUDGE’S SPEECH: INDIA’S HARISH SALVE ARGUES CASE FOR KULBHUSHAN JADHAV (A FORENSIC LINGUISTIC STUDY)**

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**Abstract-** Forensic Linguistics became famous when a linguist named Jan Startvik uncovered a murder case in his report entitled *The Evans Statements: A Case for Forensic Linguistics* in 1968. The aim of this research is to described a judge’s speech: India’s Harish Salve argues case for Kulbhushan Jadhav (A Forensic Linguistic study). This research used descriptive qualitative method. This study used lexical semantics (verbal communication such as sounds, words, language and speech) in visual media. This research method used qualitative by describing the data. The result shows that the attorney is attempting to learn more about the witness who testified that contributions are permissible in accordance with Presidential Decree No. 52 of 1995 and Regional Regulation No. 8 of 1995. Where the witness will implicitly recollect the incident and the legal grounds upon why he issued the policy. The terminology used in the preceding paragraph was the most intriguing aspect. It contains explicit language and an introduction before posing the question. And it appeared quite confusing. This was intended to disrupt the witness’s concentration. So that the judge can determine if the witness answered the question tentatively or confidently. If there is uncertainty, the witness will likely feel uncertain or will make a false statement.

**Keywords:** Judge’s Speech, Forensic Linguistic, Lexical Semantics

## I. INTRODUCTION

Forensic Linguistics became famous when a linguist named Jan Starvik uncovered a murder case in his report entitled *The Evans Statements: A Case for Forensic Linguistics* in 1968. In the report, he explained that the four statements that the police had made about Timothy Evans killing his wife and baby daughter had different grammatical styles. Since then, the term Forensic Linguistics has been widely used along with many studies. Of particular interest is Sousa-Silva & Coulthard (2016) mention that nearly 20 years earlier, the term Forensic English had been used by Philbrick (1949) in his book *English, Language and the Law: the Semantics of Forensic English*, the term was never used. In 1968, Starvik initiated the study of forensic linguistics. At the time, he attempted to solve the murder of his wife and their 14-month-old kid by Timothy Jon Evans, her husband. This occurrence took place in England. Levin & McDevitt (2008) state that to tackle this issue, he employed forensic linguistics and created forensic linguistics as a discipline to be researched in the future.

Subyantoro (2017) has attempted to establish forensic linguistics as a scientific discipline in Indonesia. Using linguistics, he has conducted research on various hate speech examples. He has also published a book based on his study. According to him, there are three explanations for forensic linguistics: (1) analyzing the use of language in legal language, (2) investigating the depth of language used in legal writing, and (3) observing or reviewing the use of language in legal language in court for the purposes of investigation and justice processes. According to Mcmenamin (2002) forensic linguistics is the application of linguistics to legal language. Similarly, Olsson (2004) assert that forensic linguistics is utilized in the language of law pertaining to language, crime, and any violations of the law. They determined that forensic linguistics was associated with language.

Forensic Linguistics is a branch of applied linguistics. This is in line with Susanto (2017), which states that Forensic Linguistics is included in the study of applied linguistics. Likewise, Olsson (2008) expressed the view that forensic linguistics is the application of linguistics to legal issues linguistics in the field of law. Forensic Linguistics has a lot to do with linguistic evidence for lawful purposes. For example, the study of the language of legislation, the language of trials, and interrogation by the police of people suspected of having committed a crime and even analyzing voice recordings of conversations for the sake of investigations. The aim research is to described a judge's speech: India's Harish Salve argues case for Kulbhushan Jadhav (A Forensic Linguistic study).

## II. METHOD

This research used descriptive qualitative method. This study used lexical semantics (verbal communication such as sounds, words, language and speech) in visual media. The data in this research are gained from the video of a judge named Harish Salve from India giving a speech and arguing a case for Kulbhushan Jadhav.

## III. RESULT AND DISCUSSION

### **A piece of judge's speech: India's Harish Salve argues case for Kulbhushan Jadhav**

The Statement below is a question raised by attorney of Mohammad Sanusi to the witness, Governor of DKI Jakarta, Basuki Tjahaja Purnama in a trial of a bribery case for the former chairman of Commission D DPRD DKI Jakarta Mohammad Sanusi at the Corruption Crime Court.

*Sanusi's attorney: the witness. Yes.... Earlier, you mentioned that the additional contribution was stated in Presidential Decree No. 52 of 1995 and Regional Regulation No. 8 of 1995. My question is to who testifies that the additional contribution to the witness is in accordance with the Presidential Decree and regional regulation?*

From the statement above, the Attorney asked about where the witness initially knew about the additional contribution. This shows that the attorney is trying to find out more details regarding the memory of the witness who gave the testimony that contributions are possible based on Presidential Decree No. 52 of 1995 and Regional Regulation No. 8 of 1995. Where indirectly the witness will recall the incident and recall the legal basis that he used for issuing the policy. The interesting thing in the statement above was in the language using. It used explicit language which contains an introduction before the question was asked. And it seemed a little bit confusing. This was intended to obscure the concentration of the witness. So the judge can judge whether the question from the witness was answered hesitantly or firmly. If in doubt, the witness will likely to feel unsure or it is a false statement made by the witness. However, if the witness remembers the incident well, even though the questions are confusing, the witness will be able to answer clearly and firmly. In this trial the witness was an active governor whose had a very high social status but in terms of trial he was just a witness so that in the courtroom he had less power than the questioner who is the attorney for the Suspect as seen in his language using.

There are two broad issues that arise in this case:

The first issue is construction of Vienna Convention particular article 36 of the convention and its application to the facts of the case on the admitted position being that consular access was not granted, if Pakistan's strange defense of exclusion of such cases is not accepted then it has to be found that Pakistan is an egregious breach of Vienna convention.

The second relevant issue is the relief to be granted in this case, the charge of tortious principle of restitution in intagram is now the settled basis for relief the only issue is whether past precedents of this court relating to a violation of the Vienna Convention which granted relief by way of review and reconsideration have laid down law an inflexible rule which has to be followed in all situations. India says to the

court would have to decide whether the rule can apply to military courts like the Pakistan military court and whether courts that do not rise to the standards of due process can be the repository of faith of the kind this court reposed in the American.

**Judge's speech uses formal language using vocabulary in accordance with the field of law, as seen in his speech Judge:**

"Good morning, ladies and gentlemen. I'm Judge Andrews. - I will pose a series of questions to assist the Court and lawyers with the jury selection process. Before I ask a question, I will ask the Deputy Registrar to swear to the panel of judges to answer the question honestly. If any of you answer "yes" to any of my questions, please raise your hand, and, when I am recognized, please stand up, state your name and your jury number. At the end of the question, the Deputy Registrar will ask several of you to sit in the jury box, and, after that, the attorney and I can ask those of you who answered "yes" to one or more of the questions to be asked. to the bench to discuss your answers with the attorney and me." As far as I know.

**Prologue: A few minutes later, the Chief Judge immediately read the Final Verdict hearing today. The Chief Judge reads the verdict of the Final Session**

Judge: "You are the defendant found guilty and will be punished in accordance with Article 351 paragraph (2) of the Criminal Code with a maximum imprisonment of 10 months and a fine of Rp 2000 in cases of maltreatment." That's the final verdict. Public Prosecutors, Legal Counsels and Defendants in accordance with the Main Violation of Article 170 paragraph (2) to 2 of the Criminal Code and Violation of Article 170 Subsidiary (2) of 1 KUHP you have the right to accept and they will reject the decision, if they refuse, they can request court to outclass, for that please contact directly with the clerk of the clerk.

*Judge: "Continue to sustain the development that the South Jakarta District Court judges and examine criminal cases with No. Case 1121 / PID.B / 2011 with the defendant Andin Karisma was declared complete and closed.*

The researcher argues the language used is formal language, the words with both specific legal meaning and specific legal vocabulary.

#### IV. CONCLUSION

Based on the result above, the researcher can conclude that the attorney is attempting to learn more about the witness who testified that contributions are permissible in accordance with Presidential Decree No. 52 of 1995 and Regional Regulation No. 8 of 1995. Where the witness will implicitly recollect the incident and the legal grounds upon why he issued the policy. The terminology used in the preceding paragraph was the most intriguing aspect. It contains explicit language and an introduction before posing the question. And it appeared quite confusing. This was intended to disrupt the witness's concentration. So that the judge can determine if the witness answered the question tentatively or confidently. If there is uncertainty, the witness will likely feel uncertain or will make a false statement.

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