

Speech Act in a Courtroom: An Analysis of Chris Watts' Trial

Juliana Heidi¹ and Nina Setyaningsih^{2*}

^{1,2}English Department, Universitas Dian Nuswantoro, Semarang, Indonesia

juliana.heidi07@gmail.com¹, nina.setyaningsih@dsn.dinus.ac.id^{2*}

Article History:

Submission
November 22nd, 2023

Accepted
January 10th, 2024

Published
January 30th, 2024

ABSTRACT

The utterances produced by participants in a trial relates to their role and the trial stage. Therefore, everyone involved in the trial will produce a variety of speech acts. This research aims to describe the types of speech act in Chris Watts' trial and to describe the functions of the speech act used in the trial. The analysis is based on Searle's theory of speech act (1979). The researchers used descriptive qualitative method to describe the types of speech act and the functions of the speech acts by analyzing each utterance produced by all of the participants in courtroom. The finding shows that there are 176 utterances of speech acts which consist of 79 representatives, 23 directives, 14 commissives, 51 expressive, and 9 declarations. The researchers also found 26 functions of speech act. The dominant speech act in Chris Watts' trial is representative, because all the participants give statements of fact about the case during the trial. Moreover, the most frequently used function of speech act in Chris Watts' trial is stating, because, most of the participants' utterance is used to state their belief and thought regarding Chris Watts' case. In this research, the specific position of the speaker in the courtroom creates specific function of speech act used. The witnesses' utterance is used to condemn the defendant, the judge's utterance is used to sentence the defendant, while the prosecutor's utterance is used to restate the witness's statement.

Keywords: courtroom, Chris Watts, pragmatics, speech act, trial

INTRODUCTION

Two or more people carry out communication, and it happens frequently in social life. In social life every person needs to build communication with others to convey information. In addition, speaker and hearer must understand each other. Davis (1977) states that communication is a process of passing information and understanding from one person to another. Communication can be done by using language in written form and spoken form, and it can happen anywhere. One of the most common examples of spoken communication that uses language is conversation between people (Syauqillah & Setyaningsih, 2022). This can be found not only in everyday interaction but also in a legal context, especially trial. However, the way to communicate in different context will also be different. These differences are distinguished by the language in the particular context used. In a trial, the participant uses legal language to communicate. According to Berman (2013), legal language is a formal language as it "helps to secure its genuineness—its impartiality, equality, internal consistency, restraint, and authority".

Trial is a structure process in which the facts of a case are presented to a jury and they decided if the defendant is guilty or not guilty of the offered charge. Heffer (2005) describes these occurrences consist of jury selection, the indictment, opening statement, prosecution and defense testimony, closing speeches, summing-up and deliberation, verdict and sentencing

(Coulthard & Johnson, 2007). In general, a trial involves a number of participants, such as judges, prosecutors, lawyers, witnesses, and defendants, all of whom have their respective role. The utterances and actions depend on the participant's role and the stage of the trial. Therefore, it shows that everyone involved in the trial will produce a variety of speech acts.

There are two types of case heard in a trial, those are civil case and criminal case. Civil cases are cases that usually involve people or institutions, such as divorce, guardianship, cases of injury, traffic violations, small claims, ordinance violations, and so on. Whereas criminal cases are cases that usually involve law enforcers. In criminal cases, the government prosecutes people accused of crimes, such as cases of bank robbery, financial fraud, kidnapping, murder and so on.

One of the example of criminal case is Chris Watts' case that occurred in 2018 in Frederick, Colorado. The case involved a man named Christopher Lee Watts who killed his own family, including his pregnant wife named Shannon, and his two daughters, Bella and Celeste, who were 4 years and 3 years old. Chris dumped his daughter's body in the oil tank and buried his wife on the land where he had worked. Chris was found guilty in August 2018, and he had his first trial on 21 August 2018 and pleaded guilty on 6 November 2018, to multiple counts of first degree murder. Therefore, on 19 November 2018 he was sentenced to five life sentences without the possibility of parole. This case has attracted the attention of many parties because this case is a very tragic family massacre. Even one of the streaming media service providers, Netflix, made a documentary film about this case. Not only that, Chris Watts' trial on 6 November 2018 was also broadcast live by several news channels in America. An example of speeches produced by participants involved in the trial is shown below:

Judge	: Mr. Rourke did you want to make a record regarding compliance with the Victims right act?
Prosecutors	: Your honor, your honor president courtroom, are Frank Rzucek, Cindy Rzucek, and Frank Rzucek Jr. they are Shannon's mom dad and brother, they have been fully advise of the nature of the proceedings today. Also, based upon the order that the court entered last week, I can tell the court that Mr. Sandy Watts are present in the courtroom as well --they have also had an opportunity to meet with representatives from my office over the weekend to discuss the nature of the hearing today. I believe that we are fully on compliance with the Victims right act.

As previously explained, in a trial everyone involved has their roles, besides that there are rules that must be obeyed by all participants and the highest authority is held by the judge, therefore conversations in court can produce a variety of speech acts. Speech acts are action performed by utterances, which serves a function in communication. All participants can produce utterances during trial. The utterances produced by people in trial are different from the utterances produced by people in everyday life. In other word the conversations generated in a trial are different from the conversations generated in everyday life. In trial conversation the language used is more formal and legal than in everyday life. So these different ways of communicating can produce various speech acts, besides that each speech act has a different function. Speech acts are actions performed via utterances, in English, are commonly given more specific labels such as apology, complaint, compliment, invitation, promise or request (Yule, 1996). It can be said that every utterance uttered by the speaker contained an action.

Austin (in Nadar, 2009) states that basically when someone says something, s/he also does something. The statement then underlies the birth of speech act theory. In pragmatics there are at least three types of actions that can be realized by a speaker. Austin (1962) classifies speech acts on three classifications, namely locutionary act, action to say something; illocutionary act, performing an action by saying something; and perlocutionary act, doing an action by saying something. Saifudin (2019) describes these acts as "a speaker saying an

utterance that has certain meaning (locutionary act) with certain force (illocutionary act) to achieve certain effect to the listener (perlocutionary act)”.

Searle (1979) classifies illocutionary acts into five categories. Each categories shows communicative function. The five categories can be described as follows:

1. Representatives are kinds of speech act that state what the speaker believes. Statements of fact, assertions, conclusions and descriptions (Yule, 1996). For example:
2. Commissives are kinds of speech act that speakers use to commit themselves to some future action (Yule, 1996). They express what the speaker intends. They are promises, threats, refusals, pledges.
3. Directives are kinds of speech act that speaker use to get someone else to do something (Yule, 1996). They express what the speaker wants. They are command, orders, requests, and suggestions.
4. Expressive are kinds of speech act that state what the speaker feels (Yule, 1996). They express psychological states and can be statements of pleasure, pain, likes, dislikes, joy or sorrow.
5. Declarations are kinds of speech act in which used by the speaker to change the world through their utterance (Yule, 1996). The speaker has to have a special institutional role in a specific context.

Considering the importance of examining the language used in a courtroom, this study analyses the types of speech act used by the judges, prosecutors, lawyers, witnesses and defendant during Chris Watts’s trial based on the theory of speech act developed by Searle (1979). It will then describe the functions of speech acts used in the trial.

Studies related to speech act and politeness marker have been done previously with various objects. Setiawan (2015) identified five kinds of illocutionary acts in Emma Watson’s *HeForShe* speech. Representative was the dominant act. It was mostly performed in informing as the situation was very formal and the audience who attended the meeting was politically powerful and highly educated. The speaker has to be careful so that the audience would most feel offended since she discussed the sensitive issue. Fajar and Setyaningsih (2015) conducted a research on perfume advertisements. The research found that assertive is the dominant type of speech act since in advertisement the advertiser wants its product to be known and to persuade the readers by giving information, description, claim, and statement. On the other hand, directive speech act was also found since the advertiser commands the readers especially women to use their perfume. Tutuarima, Nuraeningsih, and Rusiana (2018) analyzed *London Has Fallen* movie and found that directive act is dominant since this movie is an action thriller movie in which most of the utterances are giving an order to someone for doing something. Barus, Saragih, and Zein (2017) found five types of speech act used in investigative interviews on Michael Brown’s case. The most dominant speech act from the interviews is representative. However, the dominant speech act performed by the detectives and special agents as the interviewers is directive, since the interviewers performed directives in the form of questioning, clarifying, and confirming. On the other hand, the dominant speech act performed by the suspect and the witness as the interviewee is representative due the interviewees performed the speech act in order to inform, explain, describe, affirm or deny.

With some of the research references above, this research examines the speech acts of Chris Watts’ trial. In contrast to Barus, et al (2017), who made police investigate interview as an object of research, this research presents a novelty in that it focuses on a trial of Chris Watts’ case as an object of research as it examines what speech acts used by the participants in the trial of Chris Watts’ case and the functions of those speech acts.

In relation to language used in a courtroom, legal speech act is institutional speech act as opposed to the usual everyday speech acts between two private communicators, institutional speech acts are different from everyday speech activities for the aims of everyday communicative. Speech act in daily communication, or in common situation, closely tied to the status of speaker and where the communication takes place. While speech act in legal context is not only related to the status of speaker and the place but also related to the existence and structure of the relevant legal institutions and conventions, and the relevant legal system, then all the utterances of the speaker must follow certain procedures. There are specific functions of speech act in legal context only used by the specific speaker according to the procedures.

Cao (2007) divides legal speech act based on the type of legal settings, into three categories as follows:

1. legislative speech act, including of statutes in written language.
2. judicial speech act, including oral and written utterances during court proceeding such as oral and written utterances evidence, oral and written judiciary pronouncements, oral arguments and other presentation from lawyers, swearing, verdicts and other courtroom speech acts.
3. legal utterances in oral and written forms and this may include private legal language, such as contracts, wills, and other legally binding oral and written texts.

In legal context, Danet (1980) classifies speech act based on Searle's classifications:

1. Representatives, the utterances that commit the speaker to something being the case or assert the truth of a proposition. These include testifying, asserting, claiming and stating.
2. Directives, these are future-oriented speech acts that seeking to change the world, to get someone to do something. Within the function of law, they are most prominent in legislation that imposes obligation. Some examples are command, request, and order.
3. Commissives, the utterances commit the speaker to do something in the future, for instance, in the legal settings is contract.
4. Expressive, these express the speaker's psychological state about a proposition, for example, apologizing, excusing, condemning, deploring, forgiving, and blaming. In modern trials, the tradition of asking defendant before sentencing they have anything to say is an opportunity for them to show the public if their relation to the rules has changed.
5. Declarations, these are utterances whose successful performance brings about a correspondence between their propositional content and reality. Declarations include lawyer's objections, sentences, appellate opinions, indictments, confessions, pleas of guilty or not guilty and verdict. These can be declarations due to the institutionalized authority of speakers to engage in these acts.

Cao (2007) states the differences legal speech act in different legal settings. First, in terms of addresser and addressee, for example one of the difference is the status and relationship between the speaker (addresser) and hearer (addressee) in different settings and classes. In the legislative speech act, the legislature serves as the speaker and the public as hearer. In private legal documents, for instance in the case of contract, usually there are two identifiable individuals or contractual parties that are interrelated. Second, the medium of communication is different. The medium of communication in legislative speech act is coded, whereas judicial speech act is oral as oral evidence given in court. In court room speech acts, all the utterances must follow certain procedures and conventions.

METHODOLOGY

In this research, a descriptive qualitative method was employed. According to Sukmadinata (2009:53-60), qualitative method is analyzing a phenomenon, event, social activity, attitudes, perceptions and people as individual or groups then describing it in the form of words. The process carried out in this research is to analyze and describe the phenomenon of speech acts produced in a trial of Christopher Watts using Searle's speech act theory. The data of this study were taken from the video of Chris Watts' trial at CBS New York <https://www.youtube.com/watch?v=xU3ERVtuncQOc>. The unit of analysis in this study is every utterance in the transcription of the video of Chris Watts' trial. The data were collected by downloading the video of the Chris Watts' trial. Then the subtitle of the source of the data were written down as data transcript. The data were analyzed by following the speech act framework proposed by Searle (1979). Meanwhile, the steps of analyzing data consists of the following steps: (1) giving a code on the transcription form to simplify the proses of classifying data, (2) classifying the types of speech act based on Searle (1979), (3) identifying the function of the speech act used in the trial of Chris Watts, and (4) drawing the conclusions based on the finding.

RESULT AND DISCUSSION

This section presents the result and discussion of the data analysis. It covers the answers to the research problems which include what types of speech act used by the judges, prosecutors, lawyers, witnesses and defendant during Chris Watts's trial and the functions of speech acts used in the trial. The overall findings are displayed in Table 1, then followed by the discussion of the findings.

In this research, the utterances were spoken by the participants of Chris Watts' trial. They consist of the utterances spoken by the Judge, Witnesses, Lawyers, Defendant, and Prosecutors. Table 1 shows all five categories of speech act as classified by Searle (1979) performed by all of the participants, namely representative, directive, commissive, expressive, and declaration. The participants performed different speech act since they have their own role in this trial. Based on the research, representative speech act was mostly performed by Witnesses, Prosecutors, and Lawyers because in this trial they gave statements of facts about the case. On the other hand, directive speech act and declaration speech act were mostly performed by the judge since the judge is in charge in the courtroom and he has authority, thus his utterances have power to change to other conditions. However, the dominant speech act in Chris Watts' trial is representative because all of the participants give a statement of fact about this case during the trial.

Each category of speech act has communicative function. That is to say, all the types of speech act that performed by the participants has various functions. Based on the finding, the researchers found that the function mostly found in the Witnesses' utterances is stating since in this trial the Witnesses give statements of fact about this case, so it makes the Witnesses state their thought and belief. On the other hand, the function mostly performed by the Judge is commanding because the Judge is someone who leads the trial, so he has power in the courtroom to take control during trial by giving commands to the Witnesses, the Prosecutor, the lawyer, and the Defendant. Besides that, the function mostly found in the utterances of the Prosecutor and the Lawyer is reporting. In this trial the Prosecutors and the Lawyers made reports to the judge about what they have done, heard, and investigated. Furthermore, overall the function mostly found in Chris Watts' trial is stating since all of the participants give statements of fact about their belief regarding Chris Watts' case.

TABLE 1. Speech Act Used in Chris Watts' trial

NO	TYPE OF SPEECH ACT	FREQUENCY		FUNCTION	FREQUENCY	
		$\sum f$	%		$\sum f$	%
1	Representative	79	44.9%	Stating	49	27.8%
				Reporting	15	8.5%
				Agreeing	6	3.4%
				Informing	1	0.6%
				Stating Opinion	6	3.4%
				Restating	2	1.1%
2	Directive	23	13.1%	Commanding	10	5.7%
				Questioning	8	4.5%
				Warning	2	1.1%
				Permitting	3	1.7%
3	Commissive	14	8.0%	Offering	5	2.8%
				Accepting	2	1.1%
				Refusing	2	1.1%
				Threatening	3	1.7%
				Promising	2	1.1%
4	Expressive	51	29.0%	Thanking	24	13.6%
				Greeting	8	4.5%
				Stating Sorrow	4	2.3%
				Disappointing	2	1.1%
				Stating Anger	4	2.3%
				Stating Love	6	3.4%
				Condemning	1	0.6%
				Wishing	2	1.1%
				Declaring	7	4.0%
				Declaring	1	0.6%
				Indictment		
Sentencing	1	0.6%				
TOTAL		176	100%	TOTAL	176	100%

The following discusses the types of speech act and the functions of speech act found in Chris Watts' trial.

REPRESENTATIVE

Representative is a kind of speech act in which the speaker's utterance state what the speaker believes. In this trial, representatives are performed by the Judge, the Lawyers, the Witnesses and the Prosecutors. There are 79 utterances classified as representative speech act. Representative is the dominant speech act of Chris Watts' trial and it has 6 functions of communication which consist of 49 utterances of stating, 15 utterances of reporting, 6 utterances of agreeing, 1 utterance of informing, 6 utterances of stating opinion and 2 utterances of restating.

STATING

The most frequently used function of representative is stating, because most of the utterances of the participants are used to state their beliefs or thoughts regarding Chris Watts' case. Stating is a kind of act to express the speaker's thought clearly, completely, and carefully in spoken. It is used to announce the speaker's thought and belief in advance. People produce utterance in the form of statements to convey what they think about. The example is shown in the excerpt below:

Excerpt 1

12 Witness 1 : ... The cameras do not lie. You carry them out like trash of the house. Yes I have seen the videotape, you buried my daughter Shannon and Niko in a shallow grave and then you put bail on Celeste in huge containers of crude oil.

You heartless monster, you have to live with this vision everyday of your life and you see that every time you close your eyes at night. Oh I forgot you have no heart or feelings or loves. Let me tell you something, I will think of them every day of my life and I love them every day of my life. Prison is too good for you...

Excerpt 1 happened when the Witness 1 makes a statement in the court. The utterance “the cameras do not lie” uttered by Witness 1 represents his belief that the evidence recorded by the camera is correct. Then, Witness 1 also states his belief by uttering “prison is too good for you”. The utterance of Witness 1 means that the prison sentence received by the defendant is not appropriate to the crime the defendant has committed. Therefore, the Witness’ utterances are classified as representative and the function of the speech act is stating.

REPORTING

Reporting is an act to give a spoken statement of the fact that has been observed, heard, done or investigated. In Chris Watts’ trial, reporting act mostly performed by the prosecutor and the lawyer because in this trial the prosecutor and the lawyer has opportunity to report the result of the investigations in the court. The example is shown below.

Excerpt 2

50 Prosecutor : ... Shannon was 34 years old, she married the defendant in November of 2012 over the weekend leading up to August 13th she had been at a work conference in Phonix Arizona and was returned home in the early morning hours of August 13th. We know that she got home about 1:45 in the morning, the doorbell camera on their home shows her arriving back home from the airport. shortly thereafter at least according to the defendant they had a what he referred to as an emotional conversation about the state of their marriage and about their lives would look like going forward. ...

In Excerpt 2, the Prosecutor makes a statement about the evidence. The Prosecutor’s utterance is a report of what he investigated. The Prosecutor reports the evidence to the Judge about what he found after doing the investigation. The Prosecutor tells about the chronology of the murders committed by the defendant to the victims.

AGREEING

Agreeing is an act to say that the speaker is willing to do something or for something to happen. Agreeing something can be indicated when someone says “yes” to others’ statement. The examples of agreeing act are shown below.

Excerpt 3

26 Prosecutors : That’s all the witnesses that I had intended on calling and I know that at courts this during the procedural posture I am aware that Mr. and Mrs. Watts also like to address the court. I would certainly invite the court if you want at this point to call upon them or we can certainly do it after any evidence that the defense has as well.

27 Judge : Sure, Cindy and Ronny Watts wish to make a statement the Victim Rights amendment. Good Morning Mrs. Powers.

Excerpt 3 happened when all the Witnesses that the Prosecutor had intended on calling and the Prosecutor said that Mr. and Mrs. Watts also want to make a statement in the court at that time or after the defense presented evidence. Then the Judge’s utterance is a statement that represents agreement. The Judge utters “sure...” to show his agreement to the Prosecutor’s report.

INFORMING

Informing is a kind of act to tell or give someone facts or information about the trial term. Below is the example of informing expressed by the Judge.

Excerpt 4

4 Judge : ... Let me first say that I realize that the sentencing hearing is emotional for many of us and I expect that your behavior in the courtroom both-in this courtroom and the overflow courtroom is appropriate. If the court determines that your demeanor and behavior while in the courtroom during the hearing is not appropriate, I have advised the deputies that I will be asking you to be escorted out of the courtroom. Also as a reminder all electronics devices must be turned off. ...

Excerpt 4 happened when the Judge is declaring the procedures of the trial. The Judge gives information to all the participants in the courtroom that all electronic devices of the participants must be turned off. Since the Judge's utterance is statement which contains an information, it is classified as representative speech act.

STATING OPINION

Stating opinion is an act to express the speaker's view or judgement about something or someone, not necessarily based on knowledge or fact. In this trial, representative speech acts are used to state opinions given by the Witness, because the Witness gives a statement. The example is shown in the excerpt below:

Excerpt 5

12 Witness 1 : ... The cameras do not lie. You carry them out like trash of the house. Yes, I have seen the videotape, you buried my daughter Shannon and Niko in a shallow grave and then you put bail on Celeste in huge containers of crude oil. ...

Excerpt 5 happened when Witness 1 gives a statement in the court. Witness 1 states his opinion by producing utterance "You carry them out like trash of the house" to show his views or his thought about what the Defendant did to the victims, carried out the Victim's body like it is a trash. The utterance of Witness 1 indicates the representative speech act as he expresses a statement of judgement that stresses his opinion about what Chris Watts did to his daughter and grandchildren.

RESTATING

Restating is a kind of act to states statement again or differently, especially more clearly or convincingly. In Chris Watts' trial, only Prosecutor and Lawyer who performed representative speech act to restate the statement since they are in the trial on behalf of their clients. The example is shown in the excerpt below.

Excerpt 6

14 Prosecutor : Your honor, Frank Rzucek Jr, he has asked me to read the statement for him.
15 Judge : of course. Sir, if I could just have you state your name for the record?
16 Witness 2 : Frank Rzucek Jr
17 Judge : Thank you for being here

- 18 Prosecutors : Your honor, the past three months I have barely slept because I have been going through a lot of different emotions because I have not see this coming. You went from being my brother my sister's protector one of the most loved people in my life family. I will spend the rest of my life trying to understand what gave you the right to put your hands on a women let alone my best friend, my beloved sister, your daughters and your son. Why weren't they enough for you. In the blink of an eye you took away my whole world the people that mattered to me the most. Everything in my life I loved your children, ...

The dialogue in Excerpt 6 happened when Witness 2 entered the podium to give his statement, but Witness 2 has been asked by the prosecutor to read his statement and the Judge said it was fine if the Witness chooses to be represented by the Prosecutor. The Prosecutor's utterance is the statement of the Witness 2. The prosecutor restates the statement of Witness 2.

DIRECTIVE

Directive is a kind of speech act used by speakers to order other people to do something. This speech act states what the speaker wants. In Chris Watts' trial, directive speech acts are performed by the Judge since he is in charge of the trial and he has power. There are 23 utterances of the Judge classified as directive speech act. Then there are 4 functions of directive speech act which consist of 10 utterances of commanding, 8 utterances of questioning, 2 utterances of warning and 3 utterances of permitting.

COMMANDING

The most frequently used function of directive speech act in Chris Watts' trial is commanding. In this trial, the Judge has authority to give a command to the other participants. Moreover, in the trial the other participants cannot give a command to the Judge since their position is not as high as the Judge. Commanding is a directive act that tells someone to do something. The speaker gives an order to someone to do what the speaker wants. The examples are shown below.

Excerpt 7

- 1 Clerk : Please raise
2 Judge : Good morning, you all can be seated. Okay we are on the record at Weld County Case number 18 CR2003 people the state of Colorado versus Christopher Lee Watts.

The dialogue in Excerpt 7 above happened when the Judge entered the courtroom. Before the Judge entered the courtroom the Clerk commands all of the participants to stand up. Therefore, the Judge commands all of the participants in the courtroom. The utterance "you all can be seated" represents that the speaker (Judge) commands all participant in the courtroom to sit back down.

QUESTIONING

Question is a sentence expressed to get information. Questioning is an act to ask somebody questions, especially in an official context. The example is shown in the excerpt below.

Excerpt 8

- 51 Judge : Are you seeking 91 days to file a request for restitution?
52 Prosecutor : I am, your honor

The dialogue in Excerpt 8 happened after the Prosecutor reported the evidence that he found through investigation. The Judge asks the Prosecutor about the time to make a request for the restitution. The utterance of the speaker is an interrogative sentence closed with a question mark "?" and all of the examples are closed with a question mark. Moreover, the verb "are" in

the beginning of sentence is used to perform yes-no questions. The utterance of the speaker is categorized into directive speech act because questioning will lead the hearer to respond the question of the speaker.

WARNING

Warning is an act to express cautionary advice to somebody, advance notice of something. The excerpts below show the employment of warning.

Excerpt 9

4 Judge : ... If the court determines that your demeanor and behavior while in the courtroom during the hearing is not appropriate, I have advised the deputies that I will be asking you to be escorted out of the courtroom. So please be mindful of your demeanor during the sentencing hearing. ...

Excerpt 9 happened when the judge is declaring the procedure of the trial. The judge warns all of the participants to be mindful of their behavior to be nice during the trial.

PERMITTING

Permitting is a kind of act performed by the judge to authorize or officially allow the participant to do something. This act is mostly performed by the Judge. The example is shown in the excerpt below.

Excerpt 10

6 Judge : and you are welcome to present evidence
7 Prosecutors : Your honor of letting the approach on when I have tendered to the court what has been marked as sentencing exhibits 1 to 21. Inclusive I have provided copies of these to defense counsel.

Excerpt 10 shows that the Judge gives a permission to the Prosecutor to present the evidence. The Judge permits by uttering “you are welcome to present evidence” so that the prosecutor can present the evidence and the witnesses.

COMMISSIVE

Commissive is a kind of speech act that is understood by the speakers to relate themselves to some future actions. This speech act is intended by the speaker. There are 14 utterances classified as Commissive speech act. Commissive speech act has 5 functions of communicative which consist of 5 utterances of offering, 2 utterances of accepting, 2 utterances of refusing, 3 utterances of threatening, and 2 utterances of promising.

OFFERING

Offering is a kind of act to express willingness or intention to do something. Offering something to someone also provides an opportunity to consider it, to be accepted or rejected. In this trial, offering is only used by the Judge since the Judge offers other participants to do something. It means that the Judge commits to himself for future action, for example, when the Judge gives an offer to the Prosecutor to make a statement if there was anything he wanted to convey about compliance with the victim right act. If the Prosecutor accepts the offers, the Judge will give a permission to the Prosecutor. It means the Judge commits to himself in the future that he would give a permission to the Prosecutor if he wants to give a statement in the podium.

Excerpt 11

57 Judge : Thank you. Mr. Watts I indicated when we began that you have the right to make a statement if you choose to. Would you like to make a statement?
58 Defendant : No, sir

The dialogue in Excerpt 11 happened before the Judge declares the sentence of the Defendant. The Judge gives an offer to the Defendant to make a statement. The Judge's utterance "would you like..." is used to create an offer. If the Defendant accepts the offers the Judge will permit the defendant to make a statement.

ACCEPTING

Accepting is an act of agreeing to receive or undertake something offered, and given an affirmative answer by the Judge. The example is shown in the excerpt below.

Excerpt 12

- 4 Judge : ... Okay, and so Mr. Rourke are you gonna be speaking on behalf of the prosecution?
5 Prosecutor : yes, your honor
6 Judge : and you are welcome to present evidence

The word "Yes" is used by the Prosecutor to accept the Judge's offer. The Prosecutor's utterance shows that he accepts the Judge's offer to make a statement on behalf of the prosecution.

REFUSING

Refusing is an act to indicate or express that the speaker is not willing to accept or grant something offered. The dialogue below shows the employment of refusal by the participant.

Excerpt 13

- 57 Judge : Thank you. Mr. Watts I indicated when we began that you have the right to make a statement if you choose to. Would you like to make a statement?
58 Defendant : No, sir

The dialogue above shows the Defendant's refusal. The Defendant refuses the Judge's offer to make a statement. The word "no" is used to refuse the Judge's offer. The Defendant's utterance is classified as a commissive speech act which functions to refuse or to give a negative response.

THREATENING

Threatening is an act to state someone's intention to punish or harm someone, in retribution for something done or not. Threatening someone is to say that the hearers will be in trouble if they do not do what the speaker wants. Threatening act is only used by the speaker who has special authority or power, such as the Judge who has special position in the courtroom. The example is presented in the excerpt below.

Excerpt 14

- 4 Judge : ... so I would like to do is explain the procedures that we are going to use regarding the sentencing hearing. Let me first say that I realize that the sentencing hearing is emotional for many of us and I expect that your behavior in the courtroom both-in this courtroom and the overflow courtroom is appropriate. If the court determines that your demeanor and behavior while in the courtroom during the hearing is not appropriate, I have advised the deputies that I will be asking you to be escorted out of the courtroom. So please be mindful of your demeanor during the sentencing hearing. ...

The Judge's utterance represents threat. The word "if" as conditional conjunction is used to add information about possibility. It means that the Judge tells the possibility of the participants' action that is not appropriate to the procedure. The Judge will escort out the participants who do not comply with procedure. The Judge's utterance "I will be asking you to be escorted out of the courtroom" is used to threaten the participants if they do not behave in

the courtroom. Threatening is an act which commits to some future action, so it is categorized as a commissive speech act.

PROMISING

Promising is an act to express the speaker's commitment to future actions. Promising something is to make a promise that the speaker will do or not do in the future. The example is presented in the excerpt below.

Excerpt 15

39 Witness 4 : ... Your father and sister and I are struggling to understand why. But we will remain faithful as your family just as god remains faithful because of his unconditional offer up. ...

Excerpt 15 happened when Witness 4 makes a statement and she conveys her message to the Defendant who was her son. Witness 4's utterance "we will remain faithful as your family" is used to show her promise. She promises to the Defendant that she and family will always be faithful with the Defendant. Witness 4 utters "we will" to make a promise. The modal verb "will" is used to show that the speaker is willing to do something in the future.

EXPRESSIVE

Expressive is a kind of speech act which states something about the speaker feels. In Chris Watts' trial expressive speech act is mostly performed by the Witnesses since they express their feelings when they give a statement before the Judge declares the sentence to the Defendant. This speech act reflects psychological statements and can take the form of expressions of joy, hatred, difficulty, success, misery, or pleasure. There are 51 utterances classified as expressive. Expressive speech act has 8 functions of communication which consist of 24 utterances of thanking, 8 utterances of greeting, 4 utterances of stating sorrow, 2 utterances of disappointing, 4 utterances of stating anger, 6 utterances of stating love, 1 utterance of condemning, 2 utterances of wishing.

THANKING

The most frequently used function of expressive speech act is thanking since all of the participant uttered the phrase "thank you" during trial. It means the participants express grateful for something. Thanking is a kind of act that the speaker used to express gratitude to someone by saying "thanks" or "thank you". The example is presented in the excerpt below.

Excerpt 16

14 Prosecutor : Your honor, Frank Rzucek Jr, he has asked me to read the statement for him.
15 Judge : of course. Sir, if I could just have you state your name for the record
16 Witness 2 : Frank Rzucek Jr
17 Judge : Thank you for being here

In Excerpt 16, the Judge utters "thank you for being here" to show that he appreciates Witness 2's attendance.

GREETING

Greeting is an act used to give a polite word of welcome or pleasure when meeting others. The words to indicate greeting are "hi", "hello", "good morning" or "good afternoon", etc. The example is shown in the excerpt below.

Excerpt 17

20 Prosecutor : Your Honor Sandy Rzucek would like to address the court
21 Judge : Good morning

22 Witness 3 : Good Morning, Your Honor. Thank you for this moment.

In Excerpt 17 the Judge greets Witness 3 when he entered the podium. Then Witness 3 also greets the Judge. The utterance “good morning” is used as greeting when someone meets others in the morning. All of the participants in Chris Watts’ trial greet each other by uttering “good morning” since the trial took place in the morning.

STATING SORROW

Stating sorrow is an act to express the speaker’s feeling of deep distress caused by loss or other misfortunes. In Chris Watts’ trial, stating sorrow is used by the Witnesses to express their feeling of sadness because they lost their family members. The two examples are presented below.

Excerpt 18

39 Witness 4 : ... First I’d like to begin by recognizing the absolute horror of this crime and acknowledging the devastating loss at both the Rzucek family as well as our family have faced. Our families have been irreparably broken by the needless deaths of Shannon, Bella, Cece and Nico. This is something we will never get over. We will always mourn the loss of our family and in that we are united in our grief. ...

Excerpt 18 happened when Witness 4 gives a statement. Witness 4’s utterance represents a statement which states her feeling of sadness because she lost her daughter-in-law and her three grandchildren. The word “grief” it used to express the feeling of sorrow, especially caused by someone’s death.

DISAPPOINTING

Disappointing is an act to express grief or displeasure caused by not fulfilling the speaker’s hopes or expectation. The speakers state disappointment to express their displeasure for the failure to fulfil their hopes or expectation. The example is presented in the excerpt below.

Excerpt 19

12 Witness 1 : ... Life will never be the same without Shannon and Celeste and Niko-had all their lives to live they were taken by the heartless one. This is the heartless one the evil monster who dare you take the lives of my daughter Shannon, Bella Celeste and Niko. I Trusted you to take care of them not kill them and they also trusted you the Heartless monster and then you take them out like trash, ...

Excerpt 19 happened when Witness 1 makes a statement. Witness 1’s utterance is a statement which implicitly states his disappointment. The utterance “I trusted you to take care of the not kill them” is used to show his disappointment to the Defendant. Witness 1 feels disappointed since he expected that the Defendant would take care of his daughter and grandchildren, he trusted the Defendant but the Defendant killed his daughter and grandchildren.

STATING ANGER

Anger is a strong feeling of annoyance, displeasure, or hostility to someone since they have done something bad to others. The speakers state anger to express their feeling of anger for what someone has done.

Excerpt 20

12 Witness 1 : Life will never be the same without Shannon and Celeste and Niko -had all their lives to live they were taken by the heartless one. This is the heartless one the evil monster who dare you take the lives of my daughter Shannon, Bella, Celeste and Niko. I Trusted you take care of them not kill them and the also trusted you the Heartless monster and then you take them out like trash. you disgust me.

Excerpt 20 happened when Witness 1 make a statement. The utterance of the Witness 1 indicates that he is very angry at the Defendant because he killed his daughter and his grandchildren. The speaker's anger is shown when he calls the Defendant with "the heartless one the evil monster". Then Witness 1 also states his anger by uttering "you disgust me". Witness 1's utterance shows that he is really mad at the Defendant, because the Defendant killed his daughter and grandchildren. Commonly, this expression is used to offend someone when they get angry of something.

STATING LOVE

Stating love is an act to express the speaker's feeling of deep affection. In Chris Watts' trial the Witnesses performed expressive also to express their feeling of deep affection to the Defendant or the Victim, because all the Witnesses are family of the Defendant and the Victim.

Excerpt 21

12 Witness 1 : ... I have people say you're not a monster, no you're not, you're an evil monster. Thank you. Love you Shannon, Belle, Celeste and Niko. I Love you ...

Excerpt 21 happened when Witness 1 makes a statement in the court. He expresses his feeling, opinion, and belief in front of the participants. Witness 1's utterance shows that Witness 1 states his feeling of love to the Victims. He states that he loves Shannon, Belle, Celeste, and Niko.

CONDEMNING

Condemning is an act to express the speaker's criticism strongly, also used to force someone to endure or accept something unpleasant, such as punishment. In Chris Watts' trial only Witness 1 performed expressive speech act to condemn the Defendant. The example is presented in Excerpt 22 below.

Excerpt 22

12 Witness 1 : ... The cameras do not lie. You carry them out like trash of the house. Yes I have seen the videotape, you buried my daughter Shannon and Niko in a shallow grave and then you put bail on Celeste in huge containers of crude oil. You heartless monster, you have to live with this vision everyday of your life and you see that every time you close your eyes at night. ...

Excerpt 22 happened when Witness 1 gives a statement. Witness 1's utterance is a statement which condemns the Defendant to live with vision of what he had done. Witness 1 expresses his feeling of condemning by uttering "you have to live with this vision".

WISHING

Wishing is an act to express the speaker's desire or hope. In this trial, the speech act of expressive performed by Witness 1 is used to express what the Witness hopes from the Defendant.

Excerpt 23

12 Witness 1 : ... This is hard to say but may God have mercy on your soul. I hope you enjoy your new life, it's nothing like the one you had out here may the court have no mercy on you.. ...

The word "hope" in Excerpt 23 is used to express Witness 1's hope for the Defendant. Witness 1 wants the defendant to enjoy his new life in prison since Witness 1 knows that life in prison would be not comfortable for anyone.

DECLARATION

Declaration is a kind of speech act that changes the world by the utterance of the speaker. This speech act is usually performed by someone who has an institutional position in a specific context. In Chris Watts' trial, declaration is performed by the Judge and Prosecutor. There are 9 utterances classified as declaration. In this trial, declaration speech act has 3 functions of communication which consist of 7 utterances of declaring, 1 utterance of declaring indictment, and 1 utterance of sentencing.

DECLARING

The most frequently used function of declaration is declaring. This function is only used by the Judge since he holds the highest position in the courtroom. Declaring is an act to formally announce something that makes a new situation or condition.

Excerpt 24

- 1 Clerk : Please raise
2 Judge : good morning, you all can be seated. okay we are on the record at Weld County Case
: number 18 CR2003 people the state of Colorado versus Christopher Lee Watts.

The dialogue in Excerpt 24 happens when the trial begins. The Judge (speaker) declared that the trial is begun. The Judge's utterance also declares to the participants that they were involved in the trial at Weld County, Case number 18 CR2003, People the state of Colorado versus Christopher Lee Watts. The Judge's utterance changes the condition.

DECLARING INDICTMENT

Indictment is a formal charge of a serious crime. Declaring indictment is an act to declare a formal charge that someone has been done, especially a serious crime. In a trial indictment is declared by the prosecutor. In a trial the prosecutor is allowed to declare the indictment against the defendant. In this case only judge who used the function of declaring indictment, the other participant cannot declare the indictment to the defendant in a court.

Excerpt 25

- 50 Prosecutor : ... Your honor justice demands the maximum sentence under the agreement reached by the parties as you will recall the agreement. Calls for life sentences as to Shannon, Bella and Celeste and all of those to run consecutively to one another it also calls for the count of unlawful termination of a pregnancy as to Nico to run consecutively to counts 1, 2, and 3. I would suggest that the extreme aggravation present in the defendant conduct and it is that the efforts that I have described mandate that the sentences for count 7,8, and 9 the temparing with a deceased human body each be the maximum of 12 years and that those sentences run consecutively to one another. ...

Excerpt 25 shows that the Prosecutor read out the indictment against the defendant. The Prosecutor's utterance indicates that the speaker (Prosecutor) declared his charges against the Defendant with maximum sentence. The Prosecutor utterance changes the Defendant's condition since the Defendant was proven to have committed a crime against the victim.

SENTENCING

Sentence is the punishment given to the defendant found guilty by a court, or established by law for certain offenses. Sentencing is used to declare the punishment by the court in which led by the judge to the defendant convicted a crime. The declaration speech act to declare sentence to the defendant is performed by the judge, since the judge has power to change the defendant's status.

Excerpt 26

59 Judge : ... So the court is going to sentence mr. Watts as follows, with regard to count number 1 murder in the first degree as it relates to Shannon Watts, the court has got a sentence you serve to a life sentence in the Colorado Department of Corrections followed should be with no possibility of parole. ...

Excerpt 26 shows that the Judge as the leader of the trial declares sentence to the Defendant. The Judge's utterance changes the defendant's status, making the Defendant who was a free-man be an imprisoned-man. The word "sentence" is used to represent that the Judge declares the sentence to the defendant. As implied in Excerpt 26, the court led by Judge sentenced Chris Watts to life 48 years in prison with no possibility of parole.

Based on the findings and discussion presented above, there are 5 types of speech acts in Chris Watts' trial: representative, directive, commissive, expressive, and declaration. Representative is the dominant speech act in Chris Watts' trial since all participants in the courtroom perform representative. In this trial, all participants give statements of fact about this case. Expressive speech act is used since in this trial all of the participants express their feeling of grateful and pleased during the trial. Besides, directive speech act is performed by the Judge as he is the person in charge of the courtroom so he has authority to control the situation and all of the participants in the courtroom. In this trial, the Judge mostly performed directive and declaration, because he has special institutional role in the courtroom. However, the Prosecutor and the Lawyer mostly used representative since they want to report what they have done, heard, and investigated.

In addition, each type of speech act has communicative function. There are 26 functions of the speech act. Stating is the most widely used in the trial of Chris Watts since all of participants gave a statement of fact about the case of Chris Watts. They want to state their belief and thought about the case of Chris Watts. However, this function is mostly used by the Witnesses, because they make statements in the trial. As the Judge is someone who leads the trial, the function mostly used by the Judge is commanding, because he wants to control all the participants in the court room. Furthermore, the function mostly used by the Prosecutor and the Lawyer is reporting. The Prosecutors and the Lawyers gave the Judge a report about what they had done, heard, and investigated in this courtroom.

CONCLUSION AND RECOMMENDATION

Based on the analysis, it can be concluded that in Chris Watt's trial, representative speech act has the functions of stating, reporting, agreeing, informing, stating opinion, and restating. The directive speech act has the functions of commanding, questioning, warning and permitting. The commissive speech act has the functions of offering, accepting, refusing, threatening and promising, while the expressive speech act has the functions of thanking, greeting, stating sorrow, disappointing, stating anger, stating love, condemning and wishing. Furthermore, the declaration speech act has the functions of declaring, declaring indictment, and sentencing.

This research suggests that a person who has specific position in a courtroom creates specific function of speech act used in a courtroom. It means the speaker who has specific position in a courtroom creates a specific function of speech act. It can be seen that in this trial the witnesses and the victim's family can condemn the defendant. On the other side, the defendant cannot condemn others participant in the courtroom, including the witnesses and the victim's family. Furthermore, declaring, sentencing, and commanding are only done by the judge since the judge is the one who has authority in a courtroom to declare the sentence to the defendant and give a command to other participants.

REFERENCES

- Austin, J. L. (1962). *How to do things with words*. Oxford University Press
- Barus, R., Saragih, A., & Zein, T. (2017). Speech act in police investigative interviews. *Linguistik Terapan: Jurnal Linguistik Terapan Pascasarjana*, 14, 288-296
- Berman, H., & Várady, T. (2013). The language of law. In J. Witte, Jr (Ed.), *Law and language: Effective symbols of community* (pp. 64-86). Cambridge University Press. DOI:10.1017/CBO9781139519717.004
- Cao, D. (2007). *Legal speech acts as intersubjective communicative action*. In: Interpretation, law and the construction of meaning. Springer, Dordrecht. https://doi.org/10.1007/1-4020-5320-7_4
- Chaer, A., & Agustina, L. (2010). *Sosiolinguistik Perkenalan Awal [Early Introductory Sociolinguistics]*. Jakarta: Rineka Cipta.
- Chauhaan, L. (2013). Use of archaic language in law. *European Academic Research*, 1(4), 332-336. www.euacademic.org
- Coulthard, M., & Johnson, A. (2007). *An introduction to forensic linguistics, Language in evidence*. Routledge.
- Davis, K. (1977). *Human behavior at work. Organizational behavior*. McGraw-Hill Publishing Company. Ltd.
- Danet, B. (1980). Law & society review: Language in the legal process. *JSTOR*, 14(3), 445–564. www.jstor.org/stable/3053192. Accessed 29 Nov. 2020
- Fajar, N. A., & Setyaningsih, N. (2015). An analysis of “Oriflame” woman perfume advertisements. *Lite*, 11(1), 27-44. https://www.justice.gov/usao/justice-101/trial_retrieved_November_26_2020
https://www.uscourts.gov/glossary_retrieved_November_26_2020
- Nadar, F. X. (2009). *Pragmatik & Penelitian Pragmatik [Pragmatics & Pragmatics Research]*. Graha Ilmu.
- Saifudin, A. (2019). Teori tindak tutur dalam studi linguistik pragmatic [Speech act theory in pragmatic linguistic studies]. *Lite*, 15(1), 1-16
- Searle, J. (1979). *Expression and meaning: Studies in the theory of speech acts*. Cambridge University Press.
- Setiawan, T. D. (2015). *A pragmatic analysis of Emma Watson’s HeForShe* [Bachelor’s thesis Universitas Negeri Yogyakarta]. <https://eprints.uny.ac.id/27853/>
- Sukmadinata. (2007). *Metode Penelitian Pendidikan [Educational Research Methods]*. Rosdakarya.
- Syauqillah, U. M., & Setyaningsih, N. (2022). Verbal humor in Louis C.K.’s stand-up comedy concert “Oh My God”: The pragmatic strategies. *Allure Journal*, 2(2), 79-95. <http://dx.doi.org/10.26877/allure.v1i2.10374>
- Tutuarima, N., & Rusiana. (2018). An analysis of speech act used in “London Has Fallen” movie. *Vision: Journal for Language and Foreign Language Learning*, 7, 160-169.
- Yule, G. (1996). *Pragmatics*. Oxford University Press