



A negative impoliteness strategy used by the judge

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ABSTRACT

Keywords

Negative Impoliteness Strategies
Communication
Courts

When people communicate, people generally begin with a conversation or a statement that is delivered from the speaker to the interlocutor; the communication has many goals and purposes. A person might be considered decent, impolite, kind, educated, courteous, honest, and so on. One of these characteristics is the language someone employing in everyday life while communicating with other humans. Politeness and impoliteness strategies do not only occur in Indonesia but also can occur in any situation and anywhere in the country. In this study, the researcher wants to discuss the opposite of the politeness strategy, namely the impoliteness strategy used by judges in a court. The purpose of this study is to explore the types of negative impoliteness strategies and the motives behind the judges using the negative impoliteness strategies in a court. The subjects of this research include a recorded video of Richard Eliezer's trial as a witness via YouTube, and the objective of the study is how to communicate using impoliteness strategies, particularly negative impoliteness employed by the judges. The researchers found that there were 3 negative impoliteness strategies carried out by the judges in this trial, namely frightening, condescending and doubting.

1. Introduction

Some techniques humans used to interact is through communicating in the language of their own nation or region. Language, which acts as an instrument of communication in various fields in ordinary living, can be written or spoken, and is used to communicate what people want. Keraf (1997) states that language is a way to express oneself, a way to communicate, and a tool for social control. Furthermore, language and the manner in which a person communicates may be viewed as a speaker's identity as a human being, because language is one of the major elements in the development of human identity (Boux et al., 2023). Identity refers to an individual's identity, which consists of qualities, attributes, or indications that symbolize and separate one human being from another. A person might be considered decent, impolite, kind, educated, courteous, honest, and so on. One of these characteristics is the language someone employing in everyday life while communicating with other humans (Zhong, 2018).

When people communicate, people generally begin with a conversation or a statement that is delivered from the speaker to the interlocutor; the communication has many goals and purposes. In court, the speaker and interlocutor communicate to explore numerous instances; in the context of criminal law, the case discussed is the question of a crime purportedly committed by the defendant (C Djisman, 2013). After examining the defendant's case in court, law enforcement attempts to assure and show that a crime occurred and that the defendant is a person who committed a specific crime. As part of the trial agenda in this trial process, trial agenda proving cases in the activities and process of communication involve law enforcement, witnesses and defendants (Bakić-Mirić, 2018).

There are communication strategies that are applied by individuals when speaking, namely impoliteness strategies. In language politeness studies, speech strategies are also found, as well as

impoliteness studies. According to Culpeper (1996) explores communication patterns in the interaction of speakers and speech partners. In such conversations, the speaker's and speech partner's speeches are aimed at making other individuals seem bad. The idea of actions that eliminates the face of others is impolite. Communication using impoliteness strategies can occur anywhere, even in the courtroom.

Culpeper argued further that the development of impoliteness techniques in language was a result of a variety of causes. The first aspect is the speakers' social interaction with their speech partners, which permits impoliteness or informal language to arise (Dayama et al., 2021). The second component is the speaker's desire, which may be purposeful or unconscious, not to shield the face of the speech partner due to a factor of interest or a goal. The third component is an imbalance of power or social huge disparity between speakers and speech partners. Speakers with more dominating and higher social power are more likely to be disrespectful to their conversation partners with less social power (Wakslak et al., 2014).

Politeness and impoliteness strategies do not only occur in Indonesia, but also can occur in any situation and anywhere in the country. Alakrash et al. (2020) in their article entitled "*An Analysis of Impoliteness Strategies Performed by Donald Trump Tweets Addressing the Middle East Countries*" examined several utterances written by Donald Trump on his social media, namely twitter towards the middle-east countries. The impolite strategy found in Donald Trump's tweets, which is most commonly found, is bald on record impoliteness. The negative impoliteness found in this study is as condescending, scornful, or mocking someone else and directly linking the other with a negative quality. The years of data collection range from 2015 to 2019 and the number of tweets used in this study is 17. Then there is another previous study discussed about impoliteness is a journal from Zhong (2018) with the title "*Linguistic Impoliteness Strategies in Sina Weibo Comments*". This journal discussed the types of Impoliteness Strategies used by Sina Weibo users, the famous application from China. In that study, the negative impoliteness technique of "condescend, scorn, or mock" was applied more often than another. Also, because impoliteness is very situation dependent on others, many factors related to contexts including topics, social media sites, netizen categories, and even academic beginnings may impact the distribution of linguistic impoliteness strategies (Liebrecht et al., 2021).

In this study, the researcher wants to discuss the opposite of the politeness strategy, namely the impoliteness strategy used by judges to in a court. The purpose of this study is to explore the types of negative impoliteness strategies and the motive behind the judges using negative impoliteness strategies in a court.

2. Method

2.1. Politeness

Politeness in pragmatics, according to Yule (1996), may be regarded as a method to respect one's face or self-image. The face refers to an individual's basic of their own self-image which pertains to social, emotional, and other sentiments that many individuals hold and identify. Expressing and paying attention to another person's face, even if they are not socially close, can be seen as appreciation and respect. Meanwhile, demonstrating equal awareness of people closest to them is sometimes defined as amicable, friendliness, or solidarity. Politeness is an important notion to be elevated while doing speech actions so that the image of oneself or the speaker seems good and also preserves the self-image of other people or the speaker so that they are respected. According to Brown & Levinson (2011), politeness is an activity to prevent and control speech behaviors that damage the self-image or face of others or oneself (Face Threatening Acts).

2.2. Politeness Strategies

Politeness tactics are employed to minimize or decrease the negative impacts on one's self-image caused by face-threatening actions by speakers. In their work, Brown & Levinson (2011) propose five sorts of politeness tactics. The fifth technique was excluded since it did not constitute a danger to one's self-image, hence the participants did not say anything in the end. These four methods are known as "superstrategies." Politeness is divided into four categories: "bald-on record; positives politeness; negative politeness; bald-off record." Brown and Levinson's idea outlines how individuals

employ politeness to indicate their wish to be favorably received. Positive affirmations are employed not just by individuals who recognize one another as well, but additionally, as a sign that conveys familiar closeness and desire to some extent between strangers or people who do not know each other.

2.3. Impoliteness Strategies

When people communicate, they use speech methods called impoliteness strategies. Speech techniques may be found in linguistic politeness studies as well as impoliteness research. The impoliteness approach is similar to Brown and Levinson's politeness strategy, but it serves a different aim. Politeness is employed by speakers to decrease the degree of disapproval or hurt caused by their discourse, whereas impoliteness is used to intentionally injure the face of the interlocutor. Jonatan Culpeper, Derek Bousfield, and Miriam A. Locher pioneered the research of impoliteness. Impoliteness refers to unpleasant attitudes and behaviors that arise in specific situations (Culpeper, 1996). Expectations, wants, and/or beliefs about specific values all contribute to disrespectful conduct. It appears that bad behavior is typically deemed "disrespectful" when there is dispute, defending, or hoping that other people would likewise believe in the views or values that are believed.

- *Bald on record impoliteness*: Specifically, the act of directly threatening the face of the conversation partner in the face of irrelevance or diminished no need to be related to the face.

- *Positive impoliteness*: the implementation of ways intended at undermining the positive image of listeners or speaking partners.

- *Negative impoliteness*: is the utilization of strategies with the goal of minimizing the listener's or speaker's bad face.

- *Sarcasm or pseudo-politeness*: is the employment of politeness methods that are obviously not real, false, or merely look polite on sight.

- *withholding politeness*: It's not appropriate to comply with the standard politeness technique, such as not thanking partners who provide presents or congratulating them.

Mills (2003) argues that impoliteness should be viewed as a reflection of one's actions rather than the inherent nature of speech. Impoliteness, in this sense, is an extremely difficult judgment of purpose. There are two sorts of impoliteness based on the goal of the speech or the speaker's intention: motivated and unmotivated impoliteness. The speaker is thought to have tried to conduct an act of impoliteness with the intention to be impolite in motivated impoliteness; alternatively, unmotivated impoliteness would be an action of impoliteness which is not meant to be rude. A failure to recognize what is being done is unfriendly. This mistake can be produced by a variety of causes, including differences in cultures, knowledge of different situations, and proximity.

2.4. Negative Impoliteness Strategies

The employment of methods targeted at harming the bad face of the listener or speaking partner is referred to as negative impoliteness. Scaring (instilling fear that his actions will be harmful), demeaning/harassing, ridiculing or mocking, insulting, not taking the interlocutor seriously, belittling the interlocutor (considering small), attacking others (grabbing opportunities), using negative personal pronouns, placing other people who have dependents, and so on are some of these strategies.

2.5. Methodology

This study employs descriptive qualitative methods since it focuses on examining negative impoliteness strategies employed by judges in the trial of witness Richard Eliezer. According to Subroto (1992), descriptive qualitative studies are carried out by systematically gathering information in the form of words, phrases, speeches, images, diaries, memos, and video-types. The data gathered from this study is a YouTube video titled "*Keterangan Richard Eliezer dalam Sidang*

Pemeriksaan Saksi Ricky Rizal dan Kuat Maruf," and the video was transcribed in to the text, the transcript was translated into English, the data was categorized and was concluded. The subjects of this research include a recorded video of Richard Eliezer's trial as a witness via YouTube, and the objective of the study is how to communicate using impoliteness strategies, particularly negative impoliteness employed by the judges.

3. Result and Discussion

As from linguistic negative impoliteness strategy by Culpeper (1996), seven substrates of negative impoliteness have been found and it included (i) frightening (trying to instill suggestions or beliefs that his actions would impact himself or others; (ii) deriding; (iii) demeaning/harassing ; (iv) doubting; (v) disobeying personal space ; (vi) taking advantage of an opportunity; (vii) not treating the opponent seriously. The following is a discussion of several details on member judge 2's negative impoliteness strategy in Richard Eliezer's trial evidence.

3.1. Frighten (Instill A Suggestion or Belief That His Actions Would Be Detrimental Himself or Others)

(1) **Situation:** As judge 2 addressed the witness about his testimony during the shooting that happened, he suggested to the witness that his statements will affect the suspect.

Indonesian (Original)		English (Translated)	
Majelis Hakim:	Baik..saya tanya di duren tiga ini ya	The Judge:	"Ok..now I asked about Jl Duren tiga, right"
Saksi:	Siap	The witness:	"Yes, sir."
Majelis Hakim:	Harus tegas!	The judge:	"You have to be firm!"
Saksi:	Siap	The witness:	"Yes, sir."
Majelis Hakim:	Karena menyangkut nasib orang!	The judge:	"Because it concerns the fate of people!"
Saksi:	Siap	The witness:	"Yes, sir."
Majelis Hakim:	Terutama orang itu dua,oke?	The judge:	"Especially those two (suspects) understand?"
Saksi:	Siap	The witness:	"Yes, sir"
Majelis Hakim:	Kamu harus jujur! berapa orang hadir disitu sebelum terjadi penembakan?	The judge:	"You have to be honest! How many people were there before the shooting?"

In the Dialog 1, it can be seen from the words of judge 2 to the witness which began with the sentence "Okay, I'll ask at Duren Tiga, OK?" which seemed to tell the witness that the topic of the question would change to a discussion while on Jalan Duren Tiga. After that, the judge 2 said "You have to be firm! Because it involves people's fate! Especially the two of them". From the sentence, judge 2 confirmed with a sentence that referred to the strategy of negative impoliteness, namely frightening, and instilling suggestions to witnesses that what is said must be firm and honest, because the answers and explanations given by witnesses greatly affect the fate of others. The sentence "The two persons" uttered by the judge 2 are the suspects in this trial which amount to 2 people, namely Ricky Rizal and Kuat Maruf. After that, the judge 2 also emphasized again to the witness to tell the truth after giving the suggestion to the witness "you have to be honest!". The purpose of this frightening negative politeness strategy is to convince the other person that there will be bad things or risks that will happen to the other person if you don't obey the speaker.

3.2. Condescending

Condensing is a substrate of negative impoliteness strategies, implying that the speaker considers the speech partner low. This method is used in dialogues 2 and 3, as seen below.

(2) **Situation:** The judge was questioning the witness about the tasks of the aides, who included the victim and the defendant. The victim's position, according to the witness, was to be the personal assistant of the wife of the major cause that is FS.

Indonesian (Original)		English (Translated)	
Majelis Hakim:	"Orang ini dua..pernah datang ke ini ke jakarta ke saguling atau—"	The Judge:	"These two people..have come here to Jakarta to saguling or —"
Saksi:	"pernah" "Kalau om Kuat selama di magelang belum pernah,kalau bang Ricky pernah."	The witness:	"yes they have" "Om Kuat has never been to Magelang, bro Ricky has."
Majelis Hakim:	Terus bisa nggak,kamu kan anggota polri nih walaupun pangkat apa,Bharada ya setidaknya dengan pengalaman ya..boleh nggak istri si sambo atau si PC itu punya ajudan?	The judge:	"Then if that's the case it can or not? You're a member of the Indonesian National Police, even though what's your rank? Bharada, right? At least with experience... can the Sambo's wife or PC have an aide??"

In dialogue 2 when the judge asked about the duties of the adjutants who were on duty with the main criminal, namely General FS, it was discovered that the victim's task was as General of the perpetrator's wife, namely PC. The judge then asked again whether a general's wife had the right and was legally allowed to get protection from an aide. In the dialogue, it can be seen that the judge's sentence condescended to his interlocutor, namely the witness "You're a member of the Indonesian National Police, even though what your rank is? Bharada, right?" the word "even though" which refers to the rank of witness, namely Bharada, as it is known that Bharada is the lowest rank in the police force. Then the next sentence "at least with experience yes" which seems to state that even though he has the lowest rank but the witness has experience and may know whether it is permissible for the PC to have a personal aide.

3.3. Doubt

Doubting is a substrate of negative impoliteness strategy, which means that the speaker feels doubtful and indecisive about his speech partner. The use of this strategy can be seen in the following dialogue.

(3) **Situation:** The judge asked the witness about the shooting scenario that occurred which resulted in the death of the victim.

Indonesian (Original)		English (Translated)	
Majelis Hakim:	tidak ada arahan ya,kamu memang udah pintar menembak?	The Judge:	"There were no previous instructions, are you really good at shooting?"
Saksi:	Saya bukan jago menembak yang mulia,tapi saya tahu cara menembak.	The witness:	"I'm not good at shooting sir, but I know how to shoot."
Majelis Hakim:	Tahu menembak?tadi kamu bilang nggak tahu arahnya kemana,jangan-jangan kamu nggak tahu arahnya kemana [XX] ini penting sama kami ini [siap] arahnya kemana jawab dulu.	The judge:	"You know? You said earlier that you didn't know where it was going? Perhaps you don't know where it's going [XX] this is important to us. It's [yes,sir] where it's going, answer first!"
Saksi:	Ke arah almarhum yang mulia tapi untuk berkenaannya saya	The witness:	"Towards the body of the victim, sir, but for exactly where I don't know, Your Honor, I can't be sure."

	tidak tahu yang mulia saya tidak bisa pastikan		
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In dialogue 3, the judge asked the witness regarding the shooting incident that killed the victim, the witness who also carried out the shooting was asked by the judge about whether there was a shooting direction or a shooting scenario that was planned beforehand or not. Then the judge asked the witness "There were no previous instructions, are you really good at shooting?" as if he doubted the witness and at the same time reconfirmed whether the witness was good at shooting or not, because from the previous witness' answer it seemed that the witness had not been given directions to shoot by his superior, namely FS, after that the witness replied that he knew how to shoot but was not good at shooting. The judge asked again in a slightly high tone "Know to shoot? You said earlier you didn't know where it was going? Maybe you don't know where it's going, this is important to us, where is it going, answer first!" who frankly doubted the witness that the witness said something that was not honest, it can be seen from the words used by the judge such as "you said you didn't know..." and "you don't know". The power possessed by the judges is clearly inversely proportional to the witness as can also be seen from the judge's words "this is important to us, where should we answer first!".

(4) Situation: The judge was asking and doubting about the weapon used by the witness.

Indonesian (Original)		English (Translated)	
Majelis Hakim:	kamu memang bisa dan berhak memiliki senjata itu?	The Judge:	"Why do you have that weapon?"
Saksi:	berhak yang mulia.	The witness:	"Because I have rights, your majesty."
Majelis Hakim:	dasarnya apa?	The judge:	"Basically because of what?"
Saksi:	saya anggota polri.	The witness:	"I'm a police officer"
Majelis Hakim:	Anggota polri..terus kemarin ada saksi bilang bahwa kepemilikan senjatamu itu dipertanyakan melihat permohonan kamu tahu nggak itu?	The judge:	"Members of the Indonesian National Police ... then yesterday there was a witness saying that your gun ownership was questioned seeing your application, do you know that?"
Saksi:	Siap,betul tahu yang mulia,karena pada saat itu saya ngurus senjata yang mulia,saya memang tidak ada melakukan mengikuti prosedur yang seharusnya kan karena harusnya ada tes psikotes,tes ini,tes itu,nah saya ini tidak ada yang mulia.	The Witness	"Yes sir, I know right, Your Highness, because at that time I was taking care of the weapon sir, I really didn't follow the proper procedure, because there should be a psychological test, this test, that test, but I don't have a test, Your Honor ."
Majelis Hakim:	Tidak ada?kan berat tesnya itu?	The judge:	"Nothing? The test should be hard, right?"
Saksi:	Tes psiko saja yang mulia.	The witness:	"Psycho test only, your honor"
Majelis Hakim:	Iya kalau masih nembak,kalau psikotesnya nggak sehat mana dikasih itu?nah kenapa kamu bisa?	The judge:	"Yes, if you are still shooting, if the psychological test is unhealthy? You can't use it, so why can you?"

In dialogue 4 it is clear that the judge doubts the truth of the other person, who is a witness. This can be seen from the sentence used by the judge when asking about other witnesses who said that the weapon owned by the witness was questioned "Yesterday there was a witness saying that your gun ownership was questioned seeing your application, do you know that?" then the witness explained that it was true because the witness also did not know that in fact there were many test procedures to obtain weapons while the witness did not carry out any tests. In the last sentence the judge also alluded

to how the witness could easily get the weapon, the judge said "if the psychological test is unhealthy? you can't use it, so why can you?" which means that possession of a weapon can only be carried out with a test, one of which is a psychological test, while the witness does not do that, then what if the witness actually does not pass the test and is currently still holding a weapon.

(5) Situation: the judge doubted the witness answer because the judge thought it was just the witness' personal conclusion/opinion.

Indonesian (Original)		English (Translated)	
Saksi:	Saya tidak dengar lagi kalau buat apanya yang mulia.	The witness:	"I don't hear anymore what to do, Your Majesty."
Majelis Hakim:	Kamu harus jelas jangan menyimpul-nyimpulkan!	The Judge:	"You have to be clear, don't jump just to your conclusions!"
Saksi:	Siap	The witness:	"Yes,sir"
Majelis Hakim:	kamu disini kamu jangan simpulkan,menyimpulkan itu tugas pak hakimya!	The judge:	"You are here, don't conclude, concluding is the duty of the judge!"
Saksi:	siap	The witness:	"Yes,sir"
Majelis Hakim:	perlu kamu..kamu apaya..pertanyaan saya jelas darimana kamu tahu kalau PC itu setuju terhadap skenario itu?	The judge:	"You need.. You need to..my question is clear how did you know that the PC agreed to that scenario?"

In table 5 the judge was asking the witness regarding the planning of the murder scenario which according to the witness at that time was made up by other suspects namely FS and PC and then told him about the scenario. The witness explained that the suspect PC was also involved because he discussed about Jalan Duren Tiga and then discussed CCTV, but when asked by the judge regarding his statement regarding the existence of CCTV discussion, the witness said that he had not heard of it, the judge then doubted the witness' statement, as can be seen from the sentence the judge used when said "You have to be clear, don't jump just to your conclusions!" and "You are here, do not conclude, concluding is the duty of the judge!". The judge had doubts about the testimony of the witness because the statement was only based on the witness' opinion and a cursory hearing which could not be used as a definite statement or accountability, and there was no evidence.

(6) Situation: the judge asked the witness why he changed the testimony written at that time.

Indonesian (Original)		English (Translated)	
Majelis Hakim:	apa mimpimu?datang almarhum Joshua?	The Judge:	"What's your dream? Joshua came to your dream?"
Saksi:	betul yang mulia.	The witness:	"right your majesty"
Majelis Hakim:	yang benar yang benar!	The judge:	"You have to be right, you have to be right!"
Saksi:	Benar.	The witness:	"right, sir"
Majelis Hakim:	terus apa lagi?	The judge:	"Then, what else?"

In table 6 the judge asked about changes in the testimony given by the witness from the initial examination, the witness explained that when he was first examined the FS forced him to use a scenario they had created so that he was dishonest. After that the witness explained to the judge that

at that time he was afraid to tell the truth because he was under pressure from FS because FS was a general as well as his superior, then the witness also explained that one of the reasons he told the truth by changing his statement was because the victim came into his dream. The judge seemed to doubt what the witness said, as seen from the sentence used "What's your dream? Joshua came to your dream?" who seemed unable to believe that the witness changed his testimony because of that reason, besides that the judge also said "You have to be right, you have to be right!" From this sentence it is very clear that the judge doubted the witness and ordered the witness to be honest.

3.4. The Motive behind the Judges Used Negative Impoliteness Strategies in Courts

According to Katrina Larasati Utami (2019) impolite strategies may be identified by the presence of a situation that follows the speech, high intonation, stressed speech, aggressive speech, and other linguistic indicators. As previously stated, Culpeper (1996) noted that various variables contribute to the impoliteness, including:

- 1) The first aspect is the speaker's intimate interpersonal bond with the hearer, which causes impoliteness to occur.
- 2) The second aspect is the speaker's motivation, which may be planned or accidental, not to cover the face of the speech partner because of the desire factor.
- 3) The third aspect is a power imbalance or social power imbalance among speakers and speech partners.

When seen from the speaker's perspective, the aspects that may motivate speakers to employ negative impoliteness strategies include that speakers tend to have more dominating and stronger social power and tend to be impolite to their conversation partners who have lower social power. As we all know, the judge has the highest position in the trial as compared to the witness. Aside from that, another aspect that might be the judge's motivation for utilizing negative impoliteness methods in this trial is to purposefully or accidentally not safeguard the interlocutor's conversation partner due to particular interests. This may happen if the speaker, that is the judge, or the interlocutor, that is the witness, was already tired. We are able to view the 2 hour and 31 minute conversation between the judge and the witness. The judge's usage of negative impoliteness methods was discovered towards the end of the trial video. It is possible that the judge utilizes negative impoliteness purposefully or accidentally for the advantage of the witness being firm and consistent in communicating information, making it simpler for the judge to further evaluate and digest the information gained from the witness. As according Leech (2016), problem-solving procedures used by speakers may be viewed as a type of means-end analysis. The speaker is entrusted with choosing the most appropriate way to ensure that the aim of his speech is successfully realized.

4. Conclusion

In this research the researchers found that there were 3 negative impoliteness strategies carried out by the judges in this trial, namely frighten, condescending and doubt. After seeing the conversation between the judge and the witness, the researchers found that of the 3 negative impoliteness strategies used by the judge, doubt had a greater number than frighten and condescending. Those negative impoliteness strategies identified were discovered after analyzing the trial YouTube video transcripts. If interpreted through the speaker's eyes, the factors that may motivate speakers to use negative impoliteness strategies have included the fact that speakers tend to hold greater dominating and powerful social power, and it is possible that the judge uses negative impoliteness intentionally or unintentionally for the advantage of the witness being assertive and consistent in transmitting information, making it easier for the judge that will further reassess and comprehend the information.

There are multiple recent studies from other countries that also analyze impoliteness strategies, such as previous studies investigating Donald Trump's tweets against Middle Eastern countries and impoliteness methods in Chinese social media weibo comments, we can see that impoliteness

strategies are prevalent. In the previous study, impoliteness strategies were analyzed by an individual or multiple individuals via social media, particularly Twitter and Weibo indirectly or by typing, whereas this research was based on conversations conducted by speakers and direct interlocutors in entertainment on YouTube.

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