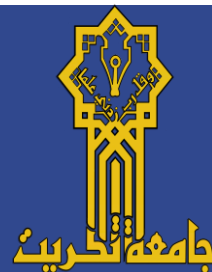


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## Pragmatic Analysis of Threat in Selected English Courts

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### ABSTRACT

Is the verbal threat. It is a linguistic phenomenon that can lead to arguments, fights, misunderstandings, disarray, etc. This essay conducts a pragmatic study of threats in English courts. Based on Grice and Yule's models, the model is eclectic.

It has been said that threats are "an unwelcome promise" (Grant, 1949: 362). In this view, a threat is a commissive speech act whose illocutionary goal is to describe a potential outcome for the target under a specific circumstance in order to persuade the hearer to avoid making that circumstance true (Searle, 1969; Blanco Salgueiro, 2010). In contrast to promises, the offer may be rude and the future action will not be in the hearer's best interests. Threats are usually made in the form of warnings or as reactions.

Threats demonstrate authority when the target hasn't done anything to merit them, like when a bully picks on a peer (Blanco Salgueiro, 2010: 217). Threats can also hint at potential retaliation, which would have the pernicious effect of making the target suffer from the anticipation of a negative outcome.

### KEYWORDS

Threat, Commissive Speech, Speech Acts, Trading Analysis, English Courts



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## 1. Threats:

## 2. Introduction:

The field of forensic linguistics focuses on all facets of language and the law, including contract interpretation, conversational analysis in courtrooms, and the gathering of information from ransom notes or threatening texts (for a broad introduction to the field, see Coulthard, Johnson & Wright 2017). An area of study looks into alleged language crimes (Shuy 1993). Conspiracy, solicitation, perjury, extortion, and threats are just a few of the crimes that Solan and Tiersma mention as being "committed largely or fully by means of words" in their explanation (2005: 179).

A number of these crimes can be perpetrated using speech acts that are otherwise entirely legal, such as describing a building's plan or educating someone on how to use a tool. A language crime occurs when the knowledge or instruction becomes the basis of a criminal conduct, as when the target building is a bank and the weapon is an explosive device. In other words, it's not the words themselves that are wrong; it's how they're utilized to further wrongdoing. Differently, there are some speech acts that are illegal on their own. They can be broadly categorized as violations of the standard of speaking honestly and violations of the standard of speaking. In other words, they are extreme cases of violations of the conversational maxim of quality (Grice 1975) and of general principles of politeness (Brown & Levinson 1987).

A threat is a statement of intent or resolve to carry out a punishment, cause harm, etc. as reprisal for, or as a condition of, some course of action. A threat is a declaration that you will hurt someone or bring about other unfavorable outcomes for them, typically to persuade them to do or refrain from doing anything (ibid).

The vow to physically harm someone in reprisal for what they have done or could do is a common component of threats. Threats are made when a bank robber threatens to shoot the bank teller if they don't hand over the money. A threat is saying to a bully that you'll hit them if they continue to mistreat your younger brother. A death threat is when you say to someone that he will be killed.

Threats can be used to intimidate someone without actually requiring them to do action. Threats do not always result in violence. A threat would be to inform your neighbor that if they don't fix your broken fence, you'll file a lawsuit (ibid).

Threatening can also be used to describe anything or someone who has the potential to do harm or damage. A hurricane poses a risk to the people and structures it passes through. Your health is in danger from a sickness. Someone or something that could make a situation dangerous is a security threat. In fields like athletics or politics, a person who might be able to defeat someone in a competition may be referred to as a threat. Threat can also refer to a signal or warning that harm or trouble is coming, as in The news was seen as a threat of problems in the very near future (ibid).

## 3. The components of Threat:

You might be charged with making criminal threats if someone claims you threatened to hurt or kill them. Threats must be conveyed in some way, but they don't necessarily have to be spoken; they can be sent via email, text, or even body language. It shares certain similarities with the crime of assault, but having some significant variances. For instance, an assault happens when one person threatens to use force against another or actually uses force while threatening action. Words alone do not qualify as an assault accusation, unlike a criminal threat. As a result, assault is a particular kind of criminal threat that is more likely to result in serious penalties. The following are two of the main elements of a criminal threat (Tarigan, 1990: 56):

Criminal threats must be made with the intent to put another person in fear of harm or death. Only the purpose of the person issuing the threat matters; the target of the threat need not actually be terrified. This intent is typically determined in a criminal prosecution by investigating the facts surrounding the claimed threat (ibid).

Specificity: A threat that is either irrational or ambiguous cannot be regarded as unlawful. Instead, it must be a particular, convincing threat that could actually cause the listener to believe they are in danger. For instance, threatening to detonate a nuclear bomb is not a credible threat (ibid).

#### 4. The Pragmatic Structure of Threat

After carefully examining the study's data, it is evident that the threat process is divided into two stages: the pre-threat phase and the threat phase. The pre-threat phase is what the threat issuer wants, while the threat phase is the actual threat (weddy, 1998: 54).

#### 5. Developing The Model of Analysis:

The model developed for analyzing the data under study is based on the following models:

##### A. Grice model of The Co-operative Principle:

Make the conversational contribution that is required by the agreed-upon goal or course of the talk exchange in which you are participating at the time when it occurs. This concept of cooperation refers to nine different elements that direct our communication. The Maxims of Conversation are four categories that put these nine elements together: the maxims of quality (truthfulness), quantity (informativeness), relation (relevance), and method (Grice, 1975: 45). (perspicuity).

(7) The Maxims of Quality: 1. Never say something you know to be incorrect 2. Never say something for which you don't have enough proof

(8) The Quantity Maxims: Make your contribution as informative as necessary (for the exchange's current aims). Avoid making it more informative than necessary.

(9) The Relationship Maxims: Be Relevant.

(10) The Maxims of Manner: Revert being vague, avoid ambiguity, be succinct (avoid needless prolixity), and be tidy.

The cooperation principle and its maxims ensure that the appropriate quantity of information is offered in a trade and that the exchange is done in a true, pertinent, and wise manner. In (11) the theory is condensed (ibid).

(11) The Conversational Implications Theory of Grice (abridged).

##### The Cooperative Principle I:

The Principles of Good Conversation Make an effort to provide a genuine quantity with your contribution. Include only the necessary amount of information in your contribution.

Relation in a timely manner Be observant.

Regarding the cooperation principle and the maxims, the speaker in a discourse may choose from four options. They are detailed in (12).

(12) i. It is assumed that the speaker will adhere to the maxims.

ii. The speaker can choose not to use a maxim by utilizing a hedge, which is a word that lessens or negates the maxim's impact while signaling to the addressee that this is the case.

iii. The speaker may disregard a maxim with the addressee's knowledge.

iv. The speaker could go against a maxim, like lying.

The cooperative principle is disregarded if the speaker chooses to do the last option (12iv), and he does so without alerting the addressee to the fact. We will completely disregard this as it is impossible to predict anything from it and so no systematic analysis can result from it. The remaining three are of interest, especially (12i) (ibid).

Grice's approach, in particular, is predicated on a key tenet in (13).

(13) Basic Presumption.

Even if the cooperative principle is not obvious from what is literally spoken, i.e., what is literally said does not align with the maxims, it is presumed that the speaker is always observing it on some level. A common conversational implicature, also known as a conversational implicature, is elicited by observing the maxims on a non-literal level. This simply implies that the addressee infers additional meaning (in the form of an implicature) to make up the difference if the addressee

considers the speaker is abiding by the maxims but that this is not obvious at a literal level. In other words, the maxims are satisfied by the textual statement plus the implicature (ibid).

### 3. Examples of Standard Implicatures:

Here are some examples of conversational implicatures before moving on. I'll start with the implications that result from the quality maxim.

John holds two PhDs (14) Quality Implicatures a.

+> I have sufficient evidence that John holds two PhDs, and I believe he does.

a. Is your farm 400 acres large?

+> I'm not sure if your farm has 400 acres, so please let me know if it does.

In (14), neither a statement of belief in the claim nor a statement of evidence supporting it can be found in what is actually uttered. Therefore, the speaker does not appear to be adhering to the ideal of quality on a literal level. The addressee believes the speaker is speaking at a deeper level, nevertheless.

The most systematic of the implicatures is probably the one involving quantity. They often occur when a more informative term or phrase that could have been used instead wasn't, leading to the choice of a less informative one. (This occurred in (1), where the speaker said some rather than all.) (ibid).

(15) Quantity Inferences a. Having fourteen kids, Nigel

No more than fourteen of Nigel's offspring exist.

The flag is white.

It only has a white flag.

c. A: How did Harry perform at today's hearing?

Oh, he received a fine.

He only received a fine.

The speaker in (15) does not appear to be adhering to the maxim of quantity in what he has said by using the term or phrase that is less informative. The addressee nevertheless continues to believe that the maxims are being followed. As a result, the addressee assumes that the speaker is aware that the falsehood of the phrase using the more revealing term. Therefore, the addressee assumes in (15a) that the speaker is aware that Nigel does not have 15 children, 16 children, etc.; otherwise, the speaker would have stated as much. The sum of all these unfavorable claims is that Nigel has no more than 14 children (ibid). In (15b), the recipient assumes that the speaker is aware that the flag is not blue, not red, and otherwise he would have said so. Again, taken together this amounts to the flag is only white. In (15c), the addressee infers that the speaker knows that Harry did not get jail time, Harry did not get the death sentence, Harry did not get prosecuted, etc., otherwise the speaker would have said so. Taken together, these statements amount to Harry got no more than a fine. As you can see, the reason is the same for all of these.

When the implicature and what is uttered are combined, they meet the amount maxima. Given how frequently it appears in speech, the maxim of relation may be the most difficult to isolate. Relevance is frequently taken for granted and unstated (Nicol, 2003: 65).

(16) Relationship Implausibility a. Pass the salt:

A: Could you please tell me the time? Please pass the salt now.

B: Well, the milkman has arrived and the current time is subsequent to the milkman's arrival.

There is no distinction between the present and past tenses in (16a) because the sentence is in the imperative. The speaker has asked for the salt but hasn't indicated when he wants it. On a surface level, the speaker does not adhere to the rule of relation, but the addressee believes that he is doing so on a deeper level. The request is implied to be related to the present by the addressee. Pass the salt at this point because there is implicature. A asks the time in (16b). B's response is figuratively irrelevant to the query. A presumes that he is helpful and relevant (ibid).

A assumes that B is comparing the time when the milkman arrived to the present. Therefore, the implicature is that the time now is after the time the milkman arrived.

There is nothing to stop one utterance from causing several implicatures, so don't assume this is the only one. Lastly, utterance shape is a concern for method implicatures. A perceptive utterance is required by the precept of manners. When the speaker disregards this principle, his speech is cryptic, unclear, or disorganized, and this is done to convey a hidden meaning (ibid).

(17) Manner Implicatures:

A: Tell me how to enter your apartment.

B: Approach the front door, turn the handle as far as it will go in the clockwise direction, and then pull gently in your direction.

+> Carefully follow each direction I have given you, paying close attention to each step.

(17) A poses a query, and B's literal response is convoluted. B doesn't seem to be following the precept of manners on a literal level; a simple response of "lay open the front door" would have been sufficient. However, A takes it for granted that B is cooperating and acting in a polite manner. B could have simply said, "Open the front door," but he didn't, therefore the further information was obviously required. To put it another way, B was being as observant as he could be. And so A infers that B's elaborate details are somehow important. Here's a more complicated example (ibid).

(18) a. A: Where's Bill?

X: He's at Sue house.

b. A: Where's Bill?

Y: There's a yellow VW outside Sue's house

+> Bill might be at Sue's house

### **B. Yule Model:**

Yule (Yule George, 1996) observed that humans do not only spontaneously use language when conducting speech acts. Instead, they speak with force and intention, and what they say may have an impact on how the hearer behaves. Speech acts can be divided into three types or aspects. When humans speak, they may use the three dimensions of locutionary acts, illocutionary acts, and perlocutionary acts, according to Grundy (Grundy Peter, 2008).

Locutionary acts:

Locutionary acts are simple statements made by someone using clear language and vocabulary. By using the examples he provided in his book, Yule (Yule George, 1996) attempted to illustrate his point that one prerequisite for engaging in locutionary acts is that the speaker and the hearer speak the same language; otherwise, there will be misunderstandings or the hearer will not understand the speaker's intended meaning.

Illocutionary acts:

According to Yule (Yule George, 1996), the word "illocutionary activities" is frequently closely related to the term "speech act." People are engaging in an illocutionary act when they make an utterance with communicative energy. Saying "put it out," for instance, might carry a different type of force. The speaker might have said it after attempting to stop a woman from smoking in a smoke-free area or after noticing a fire in a window curtain. Knowing you're going to say something helps to support the notion of illocutionary acts (Austin, 1955: 67).

Perlocutionary acts:

People (speakers) engage in perlocutionary activity when they intend to influence the actions of others (hearers). A table of the five speech actions based on Searle's theory was produced by Yule (Yule George, 1996) to illustrate that influencing behavior does not always need causing the hearer to make physical motions (Searle, 1999: 32).

Declarative force:

The tenet of declarative force is that words have the power to alter reality. It indicates that a speaker's words have the power to alter the course of events. The sentences below serve as

examples. [1] A policeman: Your arrest is pending! A police officer's [1] statement to a criminal alters the circumstances in which the criminal is acting. The perpetrator of the crime is imprisoned and removed from his position of freedom. However, if the utterance [1] is made by a teacher to a student, it has no bearing on or ability to alter the student in any way because only law enforcement personnel have the authority to use the phrase [1]. (ibid).

Representative:

Making speech behave with assertive force to convey what the speaker believes to be the case or not is known as "making words suit the world." According to Yule (1996), assertive power is utilized to portray the reality as the speaker perceives it to be. The examples of forceful speech acts are given below. Flat Earth Theory Roses smell lovely (ibid).

Expressive Force:

Speaking with expressive energy enables the speaker to convey how they feel about specific circumstances. Expressions of expressive force include likes and dislikes, joy, grief, and suffering, among many more. Examples are [4] and [5].

[4] I sincerely apologize.

[5] Best wishes (ibid).

Directive Force:

When a speaker uses directive force in their speech, they are trying to persuade the listener to take certain action. Giving instructions and commands are a couple of instances of directive speech acts. One of the instances is [6].

[6] Leave now! (ibid)

Commissive Force:

Speech acts with compliant force reveal the speaker's intention. Speakers utilize commissive force, according to Yule (1996), to convey promises, threats, denials, or commitments. It has to do with displaying the speaker's future intentions, as seen in [7].

[7] After school, I'll get you ice cream.

Practical side

Data analysis

The analysis is conducted according to the model developed in the theoretical part which is based on Grice and Yule's model.

Text one

I will get you there, little monster, and I will smash your head and break your bones. Just be a man and don't pay me and you will see all types of hell in my eyes.

**Analysis:**

There is a clear threat in the above text which is directed from an old man to a teenager who borrowed money from the man and was killed three weeks after this message.

Concerning the pragmatic structure of this threat, it is composed of two stages: the pre-threat stage "Just be a man and don't pay me" and the threat stage "I will get you there, little monster, and I will smash your head and break your bones, and you will see all types of hell in my eyes."

The text above is full of implicatures and violations for the cooperative principle of Grice.

Consider the following implicatures:

1. I will get you there, little monster,
2. Just be a man and don't pay me and you will see all types of hell in my eyes.

The speaker is using commissive speech acts to fulfil his threat.

**Text 2:**

Get back my Gun or I will kidnap your children and get them killed in front of your eyes. After that I will catch you, fucking ass, and will chop your meat and get your nails off your fingers. You know me Jack so no need to explain I will show you bad days.

You have three days only to bring it and put it under the civil bridge or else you will have no time to regret it. Look jack, you have a pretty wife and nice kids and I have nothing to lose.

#### **The Analysis:**

The pragmatic structure of the threats underlying this text is that it is consisted of two stages the pre-threat stage "Get back my Gun" "You have three days only to bring it and put it under the civil bridge" and the threat stage "I will kidnap your children and get them killed in front of your eyes. After that I will catch you, fucking ass, and will chop your meat and get your nails off your fingers. You know me Jack so no need to explain I will show you bad days." "You will have no time to regret it. Look jack, you have a pretty wife and nice kids and I have nothing to lose".

The text is full of implicatures like:

1. You know me Jack so no need to explain I will show you bad days.
2. Look jack, you have a pretty wife and nice kids and I have nothing to lose.

The utterance (1) means that the speaker is a well-known criminal to the addressee so there is no need to introduce other types of crimes to him.

The utterance (2) means that the speaker is able to make him lose his pretty wife and nice children because he has nothing to think about.

The speech acts used in the text above are mostly commissive.

#### **Conclusions:**

The study has come up with the following conclusions:

1. Threat is a process consisted of two stages: the pre-threat stage and the threat stage.
2. The threat can be issued through commissive speech acts
3. Threat when issued is done by violating CP and making implicatures.

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