



Analysis of Advocates' Speaking Strategies in Criminal Case Defense: Its Implementation and Challenges

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ABSTRACT

This research was conducted due to the importance of speaking strategies that advocates in court should possess. This study aims to describe the advocate's speaking strategies in court, seen from the plea and exception drafts, and to see how they can be implemented in advocate professional education in Indonesia. The type of this research is qualitative descriptive using a descriptive analysis approach. The data are plea and exception drafts, notes, and court minutes. The data were collected through observation, interviews, recording, and collecting the the collection of plea and exception drafts. The validity of the data was assured by using semantic validity. The data was analyzed by reducing and presenting the data and drawing conclusions. The results showed that the speaking strategy used mainly by the advocate at the trial was straightforward speaking strategies with positive politeness pleasantries, which was 52.6%. Meanwhile, the lowest number of speaking strategies found in the draft were straightforward speaking strategies without any form of pleasantries, and it was 9.1%. Based on these data, the concept of a speaking strategy has been implemented, although there are still various obstacles and shortcomings. The challenges that arise include advances in technological development, mastery of the concept of speaking strategies, and digital-based learning components. Involvement and engagement with various elements are helpful for the advancement of professional training of prospective advocates in order to achieve the vision, mission, and expected goals.



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INTRODUCTION

The trial of criminal cases in court is part of the stages of the law enforcement process in criminal procedural law in Indonesia. Based on Law Number 8 of 1981 concerning the Code of Criminal Procedure, it is explained that there is a gradual cycle in the trial process, namely the first hearing (arraignment hearing), prosecution hearing, examination hearing, and verdict hearing and response hearing (exception, replica, and duplex hearings) (Widodo, 2019). The defense hearing is held after the prosecution hearing or after the prosecutor files charges against the advocate. Widodo and Rahmat Hidayat (2018) and Widodo (2022) explain that after the defense hearing, the prosecutor will respond to the defense submitted during the trial. The advocate carries out the right speaking strategy based on how the advocate carries out the right strategy (Moore et al., 2020; Tsohatzidis, 1993). An appropriate and ethical strategy will significantly impact the judge, considering the sentence given by the advocate.

Advocates have begun to realize the importance of speaking strategies and civility in court and have explored this knowledge specifically. It can be found in several research (Handayanti, 2019; Kharisma, 2018; Read, 2024; Widodo, 2022) that based on the case of Jessica Kumala Wongso, who was sentenced to 20 years in prison, a "maximum sentence" the defendant did not show remorse during the trial process, which can be seen from the expression of the defendant's "body language" during the trial and the impolite speaking strategy. Furthermore, according to the research conducted by Rahayu (2018) and Rahayu and Wahyudin (2019), related to the speaking strategy of the advocate of Setya Novanto during the trial, the accused allegedly lied in court, and the advocate did not answer questions in the trial properly on the pretext of distracted focus. The various behaviors displayed by the advocate in the trial process are part of the communication process and become one of the considerations for trial decision-making by the judge (Widodo, 2022; Dai, 2011).

Based on the research described above, advocates realize that good speaking strategies coupled with polite ethics in court will determine the fate of the sentence of the advocate who is being tried at trial. Speaking strategy also plays an essential role in the eastern customs of the Indonesian nation, which implements strategies such as friendliness and courtesy, which are characteristic of the nation (Jason, 2010; Rundquist, 1992). According to Song (2017) and Septiana and Haristiani (2021), strategy is a tactic and measuring

tool or argument in a communication system. The advocate at trial carries out the speaking strategy discussed in this study. According to Widodo (2019) and Metcalfe and Baker (2022), speaking in court is a form of speaking with specificity compared to other communication contexts.

Moreover, the communication process between the parties involved in the trial describes how communication events in law enforcement take place in the judicial world. Each person involved in the trial has different goals, interests, and roles. Although trials generally have in common aspects of the purpose of the law, namely justice for the accused, this will eventually affect how advocates communicate in court.

Based on this, in principle, the strategy of speaking in court has goals and interests, and it has a relationship in efforts to avoid conflict. Al-Hoorie (2018) and Sifianou (2013) explain that conflict is a social reality that always exists, especially in court and community life. Therefore, the speaking strategy to form politeness is necessary for speakers and speaking partners. Nureddeen (2008), House and Kádár (2023), and Kecskes (2015) affirm that it is a form of social expression and provides a verbal way to relieve interpersonal tension arising from conflicting communication intentions. This becomes a foundation that plays an essential role in using speaking strategies in court communication. Furthermore, according to Minto (2023), speaking strategies according to concepts discovered by Brown and Levinson (1987) consist of five main successive strategies used in specific speaking situations. The five strategies are (1) speaking frankly without further ado, (2) being forthright with language, (3) being forthright with negative politeness pleasantries, (4) speaking vaguely, and (5) speaking silently.

Brown and Levinson (1987), Longcope (1995), and Deveugele (2015) classify and describe the five aspects of speaking acts. The first strategy is speaking frankly without further ado. This strategy can be done with two sub-strategies: (1) speaking with imperative mode and (2) speaking by mentioning names, nicknames, or titles (Hill, 1986; Mao, 1994). The second strategy is speaking frankly with small talk of positive politeness. This strategy is broken down into fifteen sub-strategies; (1) paying attention to the interests, wants, or needs of the submissive; (2) exaggeration of sympathy; (3) intensify attention; (4) use identity markers; (5) seek agreement; (6) avoid disagreeing; (7) affirm the similarity of the background; (8) joking; (9) declare common ground; (10) offer or promise; (11) be optimistic; (12) involve speaking partners; (13) give sympathy; (14) mutual assistance and; (15) giving gifts to speakers (Noam Chomsky, 2015). Moreover, the third strategy is speaking frankly but with a small talk using negative politeness. This strategy is more about trying to save the opposing face of the speech partner in order to maintain action toward the partner (Deveugele et al., 2005; Longcope, 1995). Based on the grouping, this strategy is divided into ten parts: (1) expressing

conventional indirect speech; (2) 'use a fence' speech; (3) state the pessimism of your business (reluctance towards the speaker); (4) minimize burden or coercion on speakers; (5) pay respects; (6) apologize; (7) use impersonal forms (avoid the words I and you); (8) using generally applicable statements; (9) action nouns; (10) state that the speaker is indebted to the speaker (Holtgraves & Bonnefon, 2017; Spencer-Oatey, 2011). Then the fourth is the vague speaking strategy, an indirect strategy that lets the interlocutor decide how to interpret the speaker's speech (Rejeki & Azizah, 2019). This strategy is broken down into fifteen sub-strategies: (1) using signals; (2) using association guidelines; (3) respond to the speaker's intent; (4) humble; (5) flattering speakers; (6) repeating speaking; (7) use disagreements to reconcile issues; (8) sarcastic; (9) using metaphors; (10) using rhetorical questions; (11) make the message ambiguous; (12) make the message vague or cryptic; (13) overgeneralizing; (14) replace the interlocutor by addressing the act of face threat; (15) render speaking incomplete (Bortfeld, 2002; Caballero et al., 2018).

This strategy is classified at the trial so that the speaking that comes out follows the principles of decency and politeness. If the advocate's speaking strategy has led to the principles of decency, there will be leniency, namely, "being good in the trial will reduce the advocate's detention period" from the judge (Economidou-Kogetsidis, 2010; Keren, 2016; Le Pair, 1996). This reduction is in accordance with the research conducted by Culpeper (1996), Handayanti (2019), and Nizar and Sabardi (2019). These studies explain that the form of sentencing is the judge's appreciation to the advocate for being kind during the trial in court. Advocates take advantage of this moment in accompanying their clients, and it is one of the advocates' tactics in working as companions, legal consultation who are stumbling over legal cases (Leech, 2007; O'Driscoll, 2007). As companions and advisors, advocates must know how to treat and provide direction to clients to get the appropriate law for the actions committed by the advocate in the case he is facing.

Based on the observations and field interviews conducted from June 1 to November 10, 2023, on the advocates association (Peradi), researchers took samples in two major cities, Padang and Bandung, representing Peradi. It can be assumed that many lawyers already knew about speaking strategies, especially in court, but did not understand how to apply them. This is evidenced by the research conducted by Grewal (2022), Hellbernd and Sammler (2016), and Peng and Phakiti (2022). Based on this research, it was found out that advocates know the speaking strategies that can be used in court, but sometimes, there is pressure at the trial, so the strategy is ignored. Hence, the result of this research can be used as a reference for how prospective lawyers will learn to use speaking strategies in court. In addition, it is expected to be a reference in developing a form of advocate professional training (PKPA) in Indonesia. This can later be used as a form of one of the

essential theoretical foundation means in speaking or communicating in court in order to support the professionalism of lawyers in their work, namely as a defense for their clients in criminal law cases that occur (Hellbernd & Sammler, 2016; Sell, 2019). Based on the explanation above, the formulation of the problem in this study is as follows: (1) What speaking strategies are used by advocates in the defense of criminal cases in Indonesia? (2) how is the result of this study implemented in advocate professional education in Indonesia? (3) What are the challenges for advocate professional education in Indonesia concerning the findings of this study?

METHOD

This research is descriptive qualitative research using a descriptive analysis approach. This study is oriented to understanding, exploring, and describing the meaning of events, especially in the advocate's speaking strategies in the plea and exception drafts, which were read in court. These drafts were composed for criminal case No. 679/PID. B/2008. PN Padang, and they had been approved for research. The plea and exception drafts were achieved from Rifka Zuwanda and Friends Advocate Office located at Kompleks Sumbar Mas No. F3 Air Pacah, Padang. The drafts were written by Rifka Zuwanda S.H, M.H herself, a senior advocate in Padang.

Then, data were collected from these drafts to see the speaking strategies applied by the advocate in court. Relying on the speaking strategies proposed by Brown Dan Levinson (1987), Longcope (1995), and Deveugele (2015), the researcher classified the data found in the drafts. The frequency of occurrence was then noted to see which strategy was used more frequently than others and which strategy was least likely applied.

Finally, the data were analyzed to see in which part of the plea and exception drafts they were used and how they affected the situation in court or the judges when deciding the sentence. This, then, became the foundation for how the findings of this research can be implemented in advocate professional education. The findings were also used to determine the challenges the advocate faces and how this information benefits the advocate's professional education.

FINDINGS

Analysis of the advocate's speaking strategy in the defense of criminal matters against the prosecutor

1. Speak frankly without any form of pleasantries

Based on the data analysis, it can be classified as the advocate's speaking strategy in criminal cases without any form of small talk. Conceptually, data is divided into two aspects: speaking with imperative

mode and speaking by mentioning names, nicknames, or titles (Gagné, 2010; Lindblom, 2001). The data is as follow;

Table 1. The Findings data speak frankly without further

No	Speaking Strategy	Types of Speaking Strategies	Number of findings	One form of speaking example
1	Speak frankly without any form of small talk.	(1) speaking using imperative mode	6	"There is a witness statement that is not the same as BAP at the trial, <i>so it needs to be re-examined</i> or the witness who has been examined is <i>asked for his statement again</i> " (pledoi. 01-BTT-TBB. TMI. Page. 11)
		(2) speaking by name, nickname, or title	8	"The facts revealed before the trial are based on the arbitrariness of the <i>investigating prosecutor that Nofriyanti</i> once said before the court but were <i>directed by the prosecutor</i> " (pledoi. 01-BTT-TBB. TDMN-PG. Page. 10)
Speak frankly without any form of small talk			14	Speaking strategy

Based on the table above, it is clear that the advocate in the trial used a strategy of speaking with a frank concept without any pleasantries. The most dominant strategy spoken by the advocates is speaking, which mentions individual names and titles. For example, the advocate mentioned the name "Nofriyanti et al."; this was deliberately said by the advocate to convince the judge of the actions committed by Nifriyadi et al. to the advocate. The advocate also used the title of summons in court, such as the call "prosecutor," to direct the focus of the conversation in the trial. As for speaking, using "imperative mode," I found only 6 data. The advocate gives an order or request, asserts the will, and states the prohibition only slightly. This is because the advocate already understands how the attitude and ethics in the trial should be (Dowlatabadi, 2014; Reich, 2011). Thus, by understanding the concept of this speaking strategy, the judge said the advocate to have "behaved well" during the trial.

Based on the available data, things like this need to be known, primarily advocates to teach advocates to be "kind and open" during the trial. Advocates need to remind advocates not to commit acts that make the judge unsympathetic to the advocate because, in general, the advocates do not understand how to communicate justified in court (Paskewitz & Beck, 2021). Based on the data that has been found can be visualized from percentages, such as in Figure 1 below.

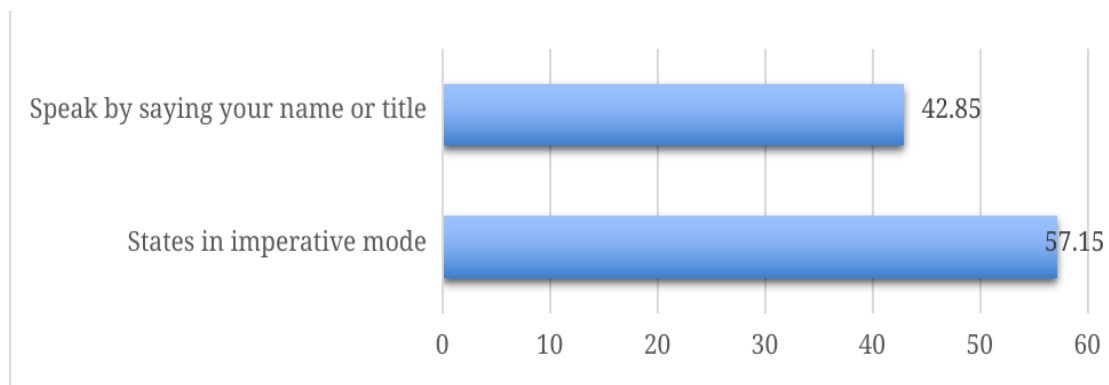


Figure 1. Speaking Frankly Without Nonsense

2. Speaking frankly, there is a form of pleantry with positive politeness

Table 2. Regular Finding Data Frankly, there is a small talk with positive politeness

No	Speakin g strategy	Types of strategies for speaking	Numbe r of finding s	One form of speaking example
2	Speaking frankly with small talk with positive politenes s	(1) pay attention to the wants, interests, and needs of speaking partners	10	"That with an attitude and soul full of a sense of responsibility, I came alone to fulfill the invitation" (<i>pledoi. 01- KPS-MM-KP. Page. 3</i>)
		(2) treat harbor sympathy	3	"I express my gratitude to the Lord Chairman and the Noble Council of Judges and the Prosecutor-in-law who <i>patiently listened to our pledoi</i> " (<i>pledoi. 01-KPS-MSKM. Page. 15</i>)
		(3) intensive attention	2	"It was also about 2 or 3 hours before I was examined" (<i>pledoi. 01-KPS- IPKP. Page. 3</i>)
		(4) the same group is given as a marker	2	"The foul intentions of the people in the Tourism Office are happy if I am in jail" (<i>pledoi. 01-KPS-MPI-KK. page. 4</i>)
		(5) attempt to agree or agree	13	"Unfortunately, my struggle for suspension of the petition foundered useless and considered unimportant" (<i>pledoi. 01-KPS-MKP. Page. 3</i>)

(6) statements that disagree are always avoided	4	"I realize that the demands of the public prosecutor are the right of the public prosecutor by looking at it from several aspects or aspects so that I can only say, O Allah, help your servant" (<i>pledoi. 01-KPS-MTS. page. 2</i>)
(7) Similarity of background is the main point in convincing speaking partners	8	"If there is an excess of days from the predetermined schedule, then the excess days are the right of the person who has traveled on business, including the Department of Tourism, Arts and Culture" (<i>pledoi. 01-KPS-MKL. Page. 8</i>)
(8) Joking	0	0
(9) Always try to state the principles and knowledge possessed by partners	2	"Under the Corruption Act, it is an act that harms state finances, so it must be a real act. The actions I did were following Mentawai Regent regulation No. 11 of 2006" (<i>pledoi. 01-KPS-MPP-SPP. Page. 7-8</i>)
(10) state the form of offer and promise	7	"Please check, not a single witness present at the trial knew I had received the official travel money" (<i>pledoi. 01-KPS-M/B. Page. 8</i>)
(11) Always optimistic in convincing the interlocutor	23	"What I am accused of harming state finances or the country's economy is 'untrue' and also not based on actual legal facts" (<i>pledoi. 01-KPS. M-O. page 4</i>)
(12) Involving speaking partners in speaker speaking	5	"What the Public Prosecutor has complained to me of at the Old Pejat State Prosecutor's Office in his prosecution is "abusing authority, opportunity, because of position or position is incorrect and exaggerating the facts of law" (<i>pledoi. 01-PPP. MP-KP. Page. 4</i>)
(13) giving and trying to express sympathy	2	"The honorable public prosecutor who is full of patience to listen to the defense is full of patience to listen to this pledoi" (<i>pledoi. 01-PPP. M-S Page. 15</i>)
(14) Performing speaking assistance	(0) not found	
(15) giving a gift to the interlocutor	(0) not found	

Speaking frankly, there is a form of pleasantry with positive politeness	81	Speaking strategy
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Based on thick data. 2 above, out of 15 speaking with positive politeness, the advocate uses 13 aspects of speaking in personal defense. Three types of speaking strategies that speakers do not use in defending themselves in court include joking, helping the other person to convince the conversation, and speaking that rewards the other person. This is due to several reasons. One of them is that these three aspects of speaking strategy are not "professional" in official forums. (Alabdali 2019; Bruce Fraser 1990). The 13 utterances identified by the advocate were essentially trying to convince the person he was speaking to by trying to speak with positive politeness. So that the advocate's position does not feel underestimated, isolated, and pressured. The advocate tried to display his attitude, role, and speech using polite speaking strategies.

The strategy of speaking in the form of pleasantries using a positive approach needs to be known by advocates and advocates at trial. This concept is so that it can be applied both in the trial and outside the trial (Redlich et al., 2016). Why is it important? Because this speaking will show someone being polite and ethical in communicating. Advocates can use this tactic to advocate so that the attitude can influence the sentence imposed by the judge, namely a polite and good attitude in communicating during the trial (Abdelhady & Alkinj, 2023; Ogban Uwen, 2020). As an ordinary human being, the judge was "touched" by the attitudes shown by the advocate to the judge (Afghari, 2007; Bushway & Redlich, 2012). Based on the data that has been found can be visualized from percentages, such as in Figure 2 below. *The number range 0-30 written horizontally explains the percentage (the percentage is taken from the number of utterances found in the criminal case with Number. 679/PID.B/2008) of speaking strategies. Meanwhile, the numbers in the range 1-15 written vertically represent 15 types of speech, speaking in small talk with positive politeness.*

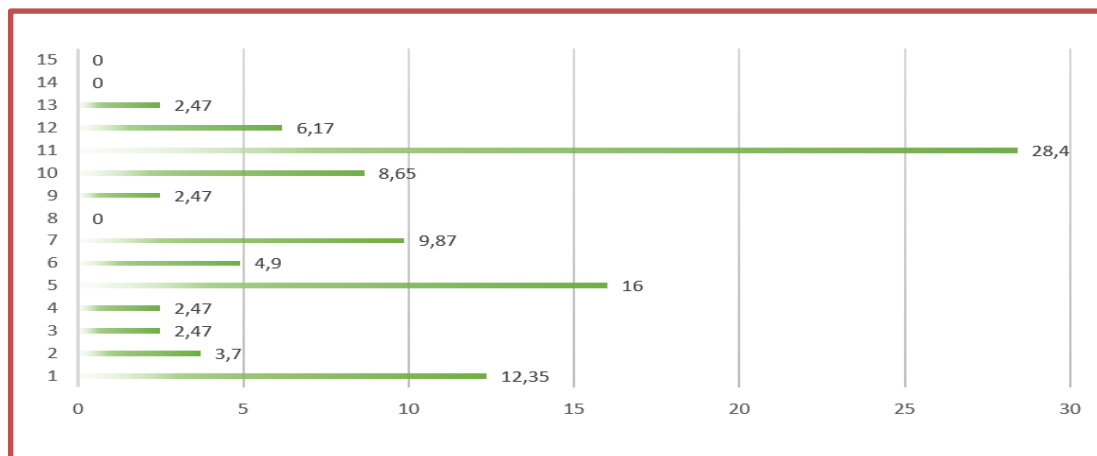


Figure 2. Speak Frankly Without Positive Effects

2. Speak frankly with the negative aftermaths

Table 3. Regular Finding Data frankly the existence of pleasantries with negative politeness

N o	Speaking strategy	Types of Speaking Strategies	Number of findings	One form of speaking example
3	Speak frankly in serious conversations with negative politeness.	(1) states speaking that is conventionally indirect	4	"However, once again, I realized that this is the law that exists and applies in the homeland of the archipelago, namely Indonesia" (<i>pledoi. 01-KPN-TTLSK. Page 3</i>)
		(2) Using fencing	8	"By saying bismillah, then let me recite this pledoi of mine personally so that God willing, it will open the bright spot of the darkness that I feel in the present moment" (<i>pledoi. 01-KPN-MP. Page 1</i>)
		(3) expressing pessimism	4	"That based on the case I am facing now obviously makes me tired in dealing with it because it never occurred to me that this is what I am experiencing now and makes me sad" (<i>pledoi. 01-KPN-MK. Page. 3</i>)
		(4) minimize coercion to others	3	"This is the fact and reality that I am now in a situation that can do nothing but carry out the dictates of Islam with my beliefs" (<i>pledoi. 01-KPN-MPKOL. Yard. 3</i>)

(5) Paying homage	6	"I am the advocate. Before closing the reading of this plea or defense, I express my gratitude to the chairman and the noble panel of judges and the honorable Public Prosecutor who patiently listened to our plea" (<i>pledoi. 01-KPN-MP. Page. 15</i>)
(6) Apologize	-	-
(7) Using impersonal forms	5	"My counsel and I hope and believe that the noble judges will give a fair verdict based on law and conscience" (<i>pledoi. 01-KPN-MBI. Page. 15</i>)
(8) declare face- threatening acts as a general social provision in force	4	"I would like to express my gratitude to the chairman and the honourable Judges and the Honourable Public Prosecutor who patiently listened to our plea. My legal counsel and I hope and believe that your Excellency will give a fair verdict based on law and conscience" (<i>pledoi. 01-KPN-MTMM-KSUB. Page. 15</i>)
(9) make formulations in normative form	5	"My legal counsel and I hope and believe that the noble panel of judges will give a fair verdict based on law and conscience" (<i>pledoi. 01-KPN-MR-BN. Page. 15</i>)
(10) states the speaker is indebted to the speaking partner	3	"I would like to express my gratitude to the chairman and the noble panel of judges and the honorable Public Prosecutor who patiently listened to our plea" (<i>pledoi. 01-KPN-MP-BBKP. Page. 15</i>)
Speak frankly about the negative aftermath	42	Total number of talks found

Based on the table. 3 The data that have been identified and classified are clear that the advocate in the trial used a strategy of speaking with a straightforward concept with the concept of pleasantries but using negative politeness. This negative politeness is based on how the advocate tries to "convince" the judge with a pessimistic, impartial concept and sometimes states to minimize coercion on others. This strategy used 42 utterances from 10 classifications, but there was 1 aspect that did not exist. That is, based on

the data formulated for this speaking, the percentage is 27.27% of the total speaking strategy.

The strategy concept said these negative politeness pleasantries must be told to prospective advocate students. This is so prospective advocate students can provide "education" to advocates who will participate in court trials (Boroujeni & Mansouri, 2023). Furthermore, this speaking, if specifically understood, should be avoided because it will cause the concept of threatening the face of the interlocutor (Chejnová, 2021). The purpose of this knowledge is to provide insight and concepts on how to use positive speaking in court.

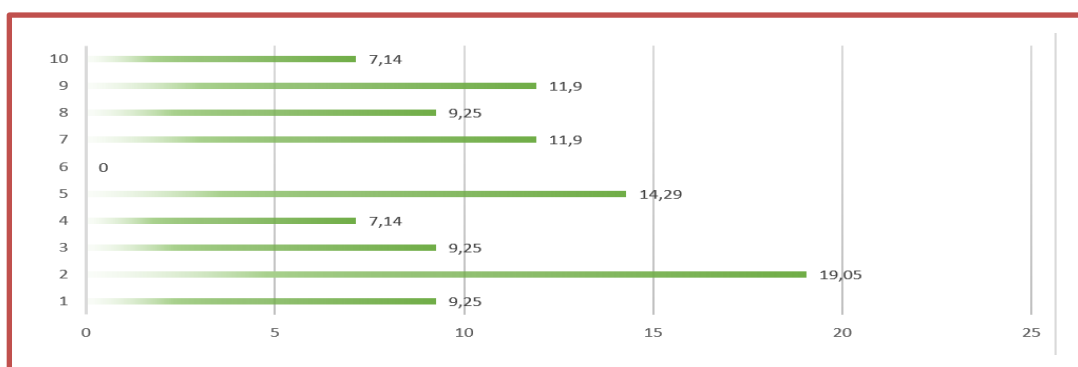


Figure 3. Speaking Frankly Using Small Talk, Negative Politeness

4. Speaking vaguely

Table 4. The findings are vaguely worded

No	Speaking Strategy	Types of Speaking Strategies	Number of findings	One form of speaking example
4	Vaguel y speakin g strateg y	(1) merendahkan diri	4	"During my time as the head of the tourism office, I never got money or facilities for movable and immovable objects. What I do is the same as my staff" (<i>pledoi. 01-SBSS. MD. Page. 4</i>)
		(2) use opposition by presenting the truth and encouraging the interlocutor to reconcile the problem	6	"How can I have harmed the state finances while the public prosecutor himself and also the West Sumatra BPKP auditor have never detailed in the slightest detail where the money came from. So that it amazes me, not to show me?"

			(pledoi. 01-SBSS-MPMK-MLTM. Page. 7)
	(3) insinuating by stating intent indirectly and counteractingly;	4	"For example, there was a case of a West Sumatra DPRD member in 2008 who traveled on a fictitious official trip, but after being traced, it turned out that the money was returned and there was no criminal process like this. It is very clear the difference I experienced" (pledoi. 01-SBSS-MPMK-MTL-M Page. 3)
	(4) using metaphors or allusions by using the real connotations of spoken speaking	3	"History in court at the Padang District Court, I was the first to be charged by the prosecutor with a charge of 2 years and 6 months with alleged corruption of Rp.44 million. On the contrary, there are allegations of corruption above 1 billion, never prosecuted as I have experienced" (pledoi. 01-SBSS-M-M. KT Page. 2)
	Speaking vaguely	17	

Vague speaking is part of the speaking strategy proposed by Brown and Levinson (1987). Vague can be interpreted as a form of speaking that tends to be used to ask someone who is not yet familiar. The vague speaking strategy, more to the speaker, does not seem to force the speaking partner so that the speaking act asks whether it is polite or not by the speaking partner (AlAfnan & Oshchepkova, 2022). Based on the data that has been identified, only 4 aspects of speaking form were found in the advocate's speaking strategy at trial out of 15 vague utterances. That is, advocates in the context of communication at trial tend to be clearer, not abstract, and specific. The total vague utterances found were 17 utterances with a percentage of 11.03.

Losing face is the same as threatening the face of the speaking partner if the specification means that the advocate is not polite in communication, especially with the judge at trial. Things that make a face threatening and cause the loss of speaking partners' faces are expected not to be communicated in court (Pinto, 2019). The data obtained from the vague speaking strategy can be visualized in percentages, such as in Figure 4 below.

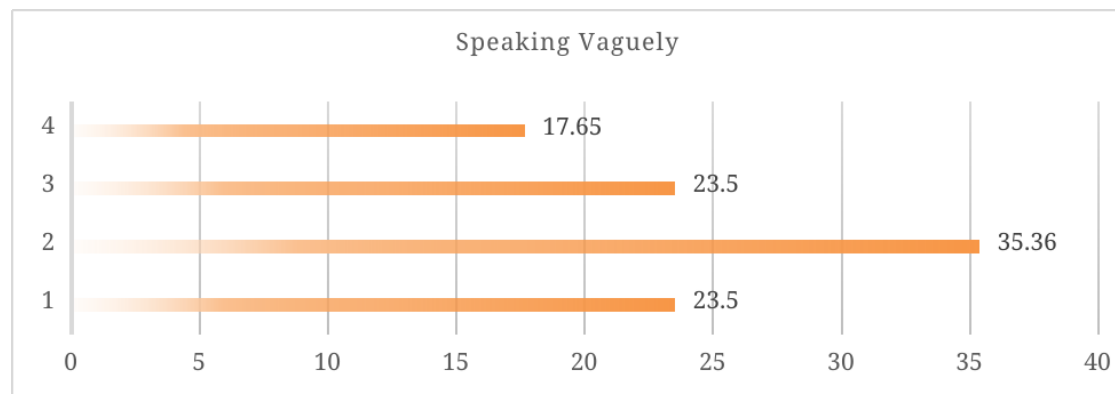


Figure 4. Speak vaguely of the advocate's defense in a criminal matter

The speaking strategy introduced by Brown and Levinson (1987) is a concept of how someone in communication pays attention to strategies that can save the face of the interlocutor so that the speaking becomes good, fun, ethical, and more polite. Strategy has a goal that not only saves the face of the interlocutor but also shows how someone has "value" to the speaking partner. Strategies in communication provide a space for communication to be close to speaking partners with that concept, so speakers to speaking partners become an emotional bond of their own (Wolfson & Manes, 1980). When emotionally built with a speaking partner, if it is connected with a judge in court, there is already a "point" for the advocate who carries out the trial. Based on the overall data, it can be classified as a speaking strategy without any pleasantries 9.1%. The second speaking strategy is a speaking strategy without any form of pleasantries with positive politeness of 52.6%, the third speaking found at the trial is a speaking strategy with the concept of pleasantries but with negative politeness as much as 27.27%, and the last found is a vague form of strategy in speaking which is 11.03%. Based on the data found on the advocate's speaking strategy at trial, many speak frankly without further ado by maintaining positive politeness. Meanwhile, those who used the least speaking strategy without pleasantries were as much as 9.1%. Based on the overall data, the advocate's speaking strategy at trial can be visualized from the percentage, as shown in Figure 5 below.

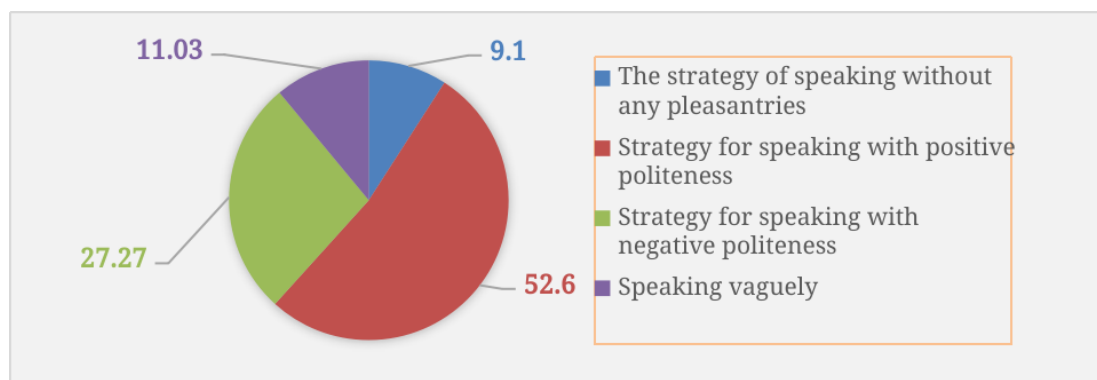


Figure 5. The overall percentage of the advocate's speaking strategy in defense of the criminal matter

DISCUSSION

Training on speaking strategies, especially in criminal cases for the advocate profession, has a very strategic role as a form of professionalism in the field of work that will be carried out later and will shape the character of how to speak well in court (Barkworth & Murphy, 2015; Bertil Malmberg, 1963); (Martínez-Adrián, 2019). In addition, there are several benefits in advocate professional education, including fostering a positive attitude on how to behave and speak in court by prioritizing speaking strategies as a form of good communication in court, fostering a positive attitude in court by avoiding communication conflicts, a sense of pride in being polite in court, and can reduce the advocate's sentence for having behaved well in court, especially good communication (Clyne, 2006; Economidou-Kogetsidis, 2010).

The implementation of the advocate's defense speaking strategy in advocate professional education in Indonesia can be observed from 7 policy provisions in advocate professional education, including 1) the substance of the curriculum in advocate professional education, 2) the development of studies from the subject matter of advocate professional education, 3) the form of training, 4) application in learning, 5) planning training in accordance with the teaching material and subject matter, 5) assessment and assessment of training results, 7) teacher education qualifications (Griffiths & Oxford, (2014; Moura, (2022). Judging from the first provision, namely the substance of the curriculum in advocate professional education, it is closely related to teaching materials, subject matter, and teaching materials provided for the training process (Nambiar, 2023).

The implementation of the application in learning, in principle, explains how, in its application, the study of speaking strategy material must be applied in a structured manner and accordance with aspects of professionalism of the advocate profession (Deveugele, 2005). Implementation in training activities can be seen from the implementation process, which is carried out well, structured, and follows the provisions for

providing training. *Based on the results of the research conducted* (Wang et al., 2023), It can be seen that, in general, the implementation of training conducted by training institutions is in the very good category, which is a percentage of 73.08%. It is in the range of 75-80% scale 10. However, efforts still need to be made to improve so that it becomes a very good, and perfect category. Lecturers who teach the advocate profession contribute and play a very large role in improving the quality of this advocate professional training. Lecturers must realize that prospective advocates who take this profession will plunge into becoming new legal experts (Spivak et al., 2021). This advocate professional training can be integrated with morality that must be built since becoming a prospective advocate. This is related to the character, attitude, and ethics of the advocate profession in the future. Mastery of a good speaking strategy will make a person or a particular profession pleasant and dignified (Lin, 2009).

The concept of "speaking strategy" training education is not limited to the scope of training in special education for the advocate profession. However, it can also be applied to national and international conferences. besides that, it can also be applied to advocates who have taken the advocate profession to add professional, scientific insight (Pawlak, 2021), (Sampson, 2015). Therefore, the diversity of forms of activities can add insight into learning. In the advocate speaking strategy learning training, technology, namely the internet, is widely used today. Using the internet to advocate professional training in Indonesia can impact and benefit students and lecturers to continue learning (Antonopoulou, 2023), (Hasnain, 2023). The use of features on the internet makes learning interesting, fun, and easy to understand; the learning presentation is more comprehensive and easy to understand (Scherer et al., 2023).

Advocate professional training by utilizing digital technology and e-learning (virtual) can be easily accessed by students who want to take the advocate profession (Abdi, 2010). However, there must be limits, rules, and guidance from lecturers so that technology can support the training process and not hinder learning. The challenges of advocate professional training, especially those related to how the concept of advocate speaking strategies in the digital era, including the target achievements in training still require more specific explanations, the digitization ability of lecturers and students still needs to be improved, the use of digital-based learning resources is still not optimal, the lack of independent learning, and the design of teaching materials that are still underdeveloped (Rosenbaum, 2014). So, indirectly, advocate professional training requires creativity and innovation related to challenges and opportunities in the present. Today, all aspects of training and education have been entered digitally (virtually). The existence of the

advocate profession as the frontline in the legal realm certainly has various challenges (Kramer et al., 2007).

Today's young generation has the widest access to various resources through technological advances. Technology provides new ways for languages, cultures, and worlds to be represented, expressed, and understood (Grewal et al., 2022). One example of the widespread use of technology among the younger generation is social media through the Internet. Social media can have a positive impact, namely as a means of socializing freely without limited space and time and honing communication skills through activities in cyberspace (Katyeudo & de Souza, 2022). However, the use of social media that is not wise can also have a negative impact, for example, disrespectful language and not using the right communication strategy that often causes conflict (De Bot, 1992; Raifu Olanrewaju, 2020). This is also a challenge for students who want to take the advocate profession so that they understand and know how to use the right language (polite, ethical, polite, and measured) in interacting and communicating.

The phenomenon of language in court is often why judges make decisions that often harm the advocate. This is based on research conducted by Agiyanto (2021) (Boccaccini, 2004). In the trial, the judge assesses politeness towards the advocate in terms of language and gestures. This proves that the strategy of communicating at the trial is essential, and it can be used as a form of leniency, as well as the judge's consideration in sentencing them. Students who take the advocate profession as part of the younger generation must understand that and that it must be explained intensively to be used as a reference in following trials in court. This is undoubtedly a challenge for lecturers who provide training on choosing and sorting out good words when participating in court hearings. Using strategies in language indirectly means the speaker will be polite in language. It sounds from the interlocutor more ethical, and the authority of the speaker who speaks becomes elevated and valuable. Lecturers, as training teachers, must be able to encourage students to be later able to apply speaking strategies in communicating in court.

The next challenge arises from the basic language skills of students who do not fully understand the concept of speaking strategies that must be possessed by a professional lawyer, especially at the previous level of education. Undeniably, students have learned how an advocate speaks at the undergraduate level (S1) of legal science. Ideally, students have enough provisions to learn the language of the advocate profession to the fullest. However, students can still not master communication skills, especially speaking strategies. Students have not mastered oral and written communication because of a lack of understanding of the concept of coherent and systematic speaking strategies. In addition, the understanding of

analyzing and understanding and the ability to reason are still included in the lacking category.

Another challenge arising from the advocate professional training component is the unavailability of advocate professional education teaching materials, especially about speaking strategy materials in court, which has not facilitated students to learn comprehensively. Teaching materials also need to be evaluated periodically, based on the aspects of grammar and novelty of the content, so that they are in accordance with the development of knowledge and times (Castro, 2018). In addition, teaching materials require facilitating teaching to students independently. In the aspect of using technology, teaching materials are expected to be more innovative by utilizing digital developments. E-modules, e-books, digital worksheets, and so on began widely used in training to develop the advocate profession. Based on the exposure to the challenges described earlier, policy implementation in advocate professional training requires continuous and intensive assessment and evaluation. The assessment results can be used as a reference and measure for improving the quality of advocate professional education. In addition, the challenges that arise are by partnering with various scientific aspects, such as language education, linguistics, communication sciences, and other sciences related to the development of advocate professional training to achieve the goals and expected goals.

CONCLUSION

Analyzing the strategy of speaking for advocates in defense of criminal cases in Indonesia, in general, provides authentic and specific lessons for advocates and prospective advocates in the trial. Various actions, attitudes, and strategies for speaking in court can make judges "realize and make judgments" that the advocate on trial has a good or disrespectful attitude during the trial. This can be seen from the communication spoken through a speaking strategy in accordance with the principles of the speaking strategy, namely "not threatening the face of the speaking partner." Ideally, this speaking strategy has been implemented comprehensively since the prospective advocate graduated with a Bachelor of Law. Later, when taking the advocate profession, they mature and apply the concept of this speaking strategy in court. This aims to form prospective advocates or professional legal experts. However, with various obstacles and several internal and external factors, the concept of this speaking strategy has not been appropriately applied. In addition, implementing speaking strategies for prospective advocates has many challenges, including the fundamental challenges of teaching lecturers who are not fluent in mastering information technology and electronic communication. So, the learning process has not been maximized. Furthermore, teachers do not fully understand the concept

of speaking strategies, and there is still a lack of digital-based training. Efforts to overcome emerging challenges involve various parties, including partnering with communities that master digital technology, linguistics, and educational technology. This is useful for achieving the vision, mission, and goals of advocate professional training.

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