

Presuppositions Used by Yang Jong Hoon in *Law School*

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ABSTRACT

This study investigates the presuppositions in Yang Jong Hoon's utterances in the series "Law School". This study aims to understand how presuppositions are used by lawyers and prosecutors. The theories used are by Yule (1996, 2020). The findings reveal the similarities and differences in the use of presuppositions when Yang Jong Hoon was a prosecutor and a lawyer. A similarity between both roles is that factive presupposition only occurred once as these professions require credibility. The most prominent types of presupposition, however, show differences. In Yang Jong Hoon's utterances as a prosecutor, existential presupposition appears most frequently to successfully charge the defendant as guilty, often done by presenting proof. In contrast, in Yang Jong Hoon's utterances as a lawyer, lexical presupposition appears most frequently to recount the situation and thus use change-of-state verbs. The study concludes that an understanding and strategic use of presuppositions are essential in legal debates.

Keywords: Legal, Pragmatic, Presupposition

INTRODUCTION

There is an interconnected relationship between language, business, and law. Professions such as prosecutors and lawyers heavily rely on the use of language. Business involves more than just the exchange of goods and services; practicing a profession is also a form of business. Courtroom discourse exemplifies how language is a powerful tool for constructing arguments to win cases. Consequently, this study aims to examine Yang Jong Hoon, a former prosecutor. He resigned from his position due to a bribery scandal involving Seo Byung Ju and subsequently became a lecturer. Additionally, he served as an attorney for one of his students who was a defendant in an assault case. Given his diverse roles as a legal practitioner, this study seeks to analyze the different ways in which presuppositions function in Yang Jong Hoon's utterances as both a prosecutor and a lawyer. Therefore, the research questions for this study are: (1) What is the configuration of presuppositions being employed by Yang Jong Hoon as a prosecutor? (2) What is the configuration of presuppositions being employed by Yang Jong Hoon as a lawyer? (3) What are the similarities and differences between the way of presuppositions being employed by Yang Jong Hoon as a prosecutor and a lawyer?

The primary theoretical framework of this study is based on Yule's theory of presupposition (1996, 2020). Presupposition refers to the implicit assumptions a speaker or writer makes about the knowledge or beliefs already held by a listener or reader (Yule, 2020). Yule (1996) identifies six types of presuppositions: existential, structural, factive, non-factive, lexical, and counterfactual. Existential presupposition pertains to the assumption that something exists. Structural presupposition involves the assumption that a certain part of a sentence's structure is already accepted as true. Factive presupposition assumes the truth of a statement following a factive verb. Non-factive presupposition is related to assumptions about things that are untrue. Lexical presupposition occurs when the use of one word implies an unstated assumption that another concept is also understood. Lastly, counterfactual presupposition involves assuming a statement that is not only false but also contradicts reality.

METHOD

This research used a qualitative method to analyze the collected data. The writer personally gathered data from the Korean drama series "Law School," focusing on the utterances of Yang Jong Hoon. The study centered on several instances where Yang Jong Hoon acted as both a prosecutor and a lawyer. Although all sixteen episodes were analyzed, only his relevant utterances in the courtroom and office containing presuppositions were included. The English subtitles were obtained from the Open Subtitles website, and the series was watched multiple times to ensure the accuracy of the presuppositions. The utterances were categorized into two tables: one for Yang Jong Hoon as a prosecutor and another for him as a lawyer. The data was numbered with a letter indicating his role, where (A) represents his role as a prosecutor and (B) as a lawyer. The first number corresponds to the episode, and the second number to the order of the utterance. The writer then analyzed the collected data to examine the configuration of presuppositions in Yang Jong Hoon's utterances using Yule's theories on presupposition (1996, 2020).

FINDINGS AND DISCUSSION

This section elaborates the findings of the writer's study. It is organized into three main parts, each divided into further sections to offer a comprehensive discussion of the analysis: (1) Presuppositions Used by Yang Jong Hoon as a Prosecutor (2) Presuppositions Used by Yang Jong Hoon as a Lawyer (3) The Similarities and Differences between The Way Presuppositions Are Used by Yang Jong Hoon as Prosecutor and Lawyer

Presuppositions Used by Yang Jong Hoon as a Prosecutor

Yang Jong Hoon served as a prosecutor in several cases. The first case involved corruption, where bribery was eventually classified as a gift. This case is connected to a hit-and-run incident also prosecuted by Yang Jong Hoon, where land from the corruption case was given to Seo Byung Ju by Ko Hyeong Su to ensure their silence as accomplices in the hit-and-run. Additionally, Yang Jong Hoon handled an embezzlement case. In his utterances as a prosecutor, five types of presuppositions were identified: existential, lexical, structural, counterfactual, and factive. Notably, non-factive presuppositions were absent from his utterances. The table below details the frequency of each type of presupposition used by Yang Jong Hoon as a prosecutor.

Table 1: Yang Jong Hoon's Presuppositions as a Prosecutor

No.	Presupposition Types	Number of Occurrence
1.	Existential Presupposition	8
2.	Lexical Presupposition	4
3.	Counterfactual Presupposition	1
4.	Structural Presupposition	1
5.	Factive Presupposition	1

A. Existential Presupposition

If you **knew** everything about each other, I'm sure you knew what Ko Hyeong-su wanted when he gave you that **land**. (A.1.1)

Yang Jong Hoon responded to Seo Byung Ju's claim that he and Ko Hyeong Su were so close that it was customary for them to exchange gifts. The phrase "that" before "land" serves as a definitive description. This prompted the writer to analyze this statement as having an existential presupposition. In Yang Jong Hoon's remark, it presupposes that a piece of land was given. Given that land is not a trivial gift, by continually presupposing its existence, he aimed to exert pressure on Seo Byung Ju, suggesting that land is not a typical gift but potentially a form of bribery.

B. Lexical Presupposition

We **found this** near the crime scene. (A.2.1)

The prosecutors made significant efforts to uncover evidence related to the hit-and-run incident, as indicated by the emphasized word "found". It was presupposed that their efforts were focused on finding evidence. Among the pieces of evidence discovered by the prosecutors was a footprint. However, Lee Man Ho faced charges of rape, with his defense claiming that his intoxication impaired his decision-making abilities. Therefore, if Lee Man Ho were to truthfully disclose the actual events to the prosecutors, it would undermine his alibi's credibility.

C. Counterfactual Presupposition

Had I refused to do it, **they would** have replaced me with another prosecutor. (A.8.1)

Counterfactual conditionals are employed to identify whether an utterance contains counterfactual presuppositions. The phrase "Had I refused," highlighted here, indicates that Yang Jong Hoon did not refuse to act as a prosecutor in the embezzlement case. Similarly, the phrase "they would" implies that others did not replace Yang Jong Hoon. This use of presupposition in the utterance demonstrates a scenario that would have occurred if a different course of action had been taken.

D. Structural Presupposition

Did you see **the driver** who hit the kid and fled? (A.2.4)

The writer recognized a structural presupposition within this statement. The use of the highlighted word "did" transforms the statement into an interrogative form. The words following "did you see" imply an assumption of truth. Regardless of whether Lee Man Ho witnessed the incident or not, the underlying fact remains that a driver struck a child and fled.

E. Factive Presupposition

If you knew everything about each other, I'm sure you **knew** what Ko Hyeong-su wanted when he gave you that **land**. (A.1.1)

The word "knew," highlighted here, functions as a factive verb. The content following this verb is assumed to be true. Yang Jong Hoon inferred that Ko Hyeong Su had a specific intention when he gifted Seo Byung Ju the land. This deduction reflects Yang Jong Hoon's strategic acumen. Regardless of whether Seo Byung Ju explicitly acknowledged it by stating he "knew," both parties were cognizant of the underlying motives behind Ko Hyeong Su's actions.

Presuppositions Used by Yang Jong Hoon as a Lawyer

Yang Jong Hoon served as a lawyer in an assault case, defending his student Jeon Ye Seul despite his primary role as a lecturer. He volunteered to be her lawyer because no other attorney was willing to take the case due to the victim's influential father, Ko Hyeong Su. Jeon Ye Seul faced assault charges after accidentally pushing her boyfriend, the victim, who attempted to spread their hidden sex cam video. In his utterances as a lawyer, the writer identified all six types of presuppositions. Notably, lexical presuppositions were the most frequent, followed by non-factive, existential, structural, factive, and counterfactual presuppositions. The frequency of these occurrences is detailed in Table 4.2.

Table 2: Yang Jong Hoon's Presuppositions as a Lawyer

No.	Presupposition Types	Number of Occurrence
1.	Lexical Presupposition	10
2.	Non-factive Presupposition	9
3.	Existential Presupposition	6
4.	Structural Presupposition	4
5.	Factive Presupposition	1
6.	Counterfactual Presupposition	1

A. Lexical Presupposition

However, I **made** a special request to the judiciary to take up her case as an attorney. (B.11.6)

It is presupposed that an act of initiating a specific request occurred. The word "made" implies the existence of an action performed by Yang Jong Hoon, suggesting that he took the initiative to create or propose the special request. This action was undertaken to ensure that the defendant had legal representation. Due to the strong influence of the opposition, no one else was willing to defend her. Consequently, Yang Jong Hoon, originally ineligible due to his role as a lecturer, managed to secure permission from the judiciary to serve as her attorney.

B. Non-factive Presupposition

In order for the defendant to be fairly judged by the Court and the people, I **would like** to request a jury trial. (B.9.1)

The highlighted words "in order" and "would like" here indicate that the utterance contains non-factive presupposition. Yang Jong Hoon assumed that the defendant was not being fairly judged at that moment. This is why he requested a jury trial, believing that the defendant could not receive fair judgment without it. This request was influenced by the knowledge that the victim's father is Ko Hyeong Su, a very powerful man in the country who could potentially influence the outcome of the trial.

C. Existential Presupposition

Based on Article 31 of the Criminal Procedure Act, I've been appointed as her special defense counsel. (B.10.1)

The possessive form is linked to the idea that something exists, which is why the possessive construction “her special defense counsel” means that there is the existence of special defense counsel. Additionally, there is the existence of Article 31 of the Criminal Procedure Act. Noun phrases are an indication of an existential presupposition.

D. Structural Presupposition

Did you ask him to write it like that to screw my client over? (B.12.1)

The part of the utterance after “Did you ask” is assumed to be the truth. Yang Jong Hoon wants to let his opponent know that he has the knowledge that the doctor writes that the victim is unable to completely recover. The opponent's answer, whether affirmative or negative, will indirectly acknowledge the existence and content of the doctor's note and its detrimental effect on Yang Jong Hoon's client. The note is made to make the victim win in court. Yang Jong Hoon was saying this with the knowledge that the opponent is also aware about, that the victim in truth has a chance to truly recover if the victim continues to receive therapy.

E. Factive Presupposition

I wish to stop defending her so that she can exercise her right to defend herself. (B.12.12)

When Yang Jong Hoon said 'wish,' it indicates that he desires something, and that something is to stop defending the defendant. This implies that Yang Jong Hoon is still defending her at that time. The factive verb 'wish' demonstrates that the utterance contains a factive presupposition.

F. Counterfactual Presupposition

That does not mean the clause isn't there. (B.10.2)

The phrase "that does not mean" sets up an expectation that the following statement will clarify or qualify what it does not imply. "The clause isn't there" is the assertion that is being negated or countered. It suggests the absence of something, in this case, a clause. This is why the writer finds this utterance of Yang Jong Hoon to contain counterfactual presupposition.

The Similarities and Differences between the Way Presuppositions are Used by Yang Jong Hoon as Prosecutor and Lawyer

This section explores the similarities and differences in how Yang Jong Hoon employs presuppositions as a prosecutor compared to a lawyer. By analyzing his use of presuppositional techniques in these distinct roles, readers can gain a deeper understanding of how these methods are applied in various legal contexts.

A. Similarities

In both his roles as a lawyer and prosecutor, Yang Jong Hoon demonstrates notable similarities in his use of presupposition. Firstly, regardless of his position, he employs presuppositions as a tool to effectively counter opposing arguments. Whether advocating for the defense or presenting the prosecution's case, Yang Jong Hoon uses presuppositional strategies to

strengthen his arguments and challenge opposing viewpoints. Additionally, in both roles, he uses presupposition to extract crucial information. Whether cross-examining witnesses as a prosecutor or eliciting testimony as a defense attorney, he strategically employs presuppositional tactics to uncover hidden details and influence the trial's outcome. Interestingly, despite the differing demands of his roles, factive presupposition appears only once in each context. This is because factive verbs are unreliable when used by a lawyer, as legal professionals are required to state facts rather than feelings. Furthermore, Yang Jong Hoon uses counterfactual presupposition only once in each role. Counterfactual statements are generally unnecessary in the legal field as they contradict facts. This infrequency suggests a nuanced understanding and selective application of this particular presuppositional strategy in his legal practice, highlighting a consistent and calculated approach across his diverse professional responsibilities.

B. Differences

When examining Yang Jong Hoon's roles as both a lawyer and a prosecutor, differences in his use of presuppositions become evident due to the distinct nature of each role. As a prosecutor, existential presuppositions are most frequently used in his utterances, whereas lexical presuppositions are predominant in his speech as a lawyer. In his capacity as a prosecutor, he often emphasizes existing facts to challenge the defendant's arguments, aiming to weaken their case and strengthen his own. Conversely, as a defense lawyer, he tends to imply meanings through careful word choice, constructing narratives that support his client's position. Notably, in his role as a lawyer, he frequently engages with hypothetical scenarios, using phrases like "what if," "please," and "hope" to show his commitment to his client's cause. These differences illustrate how his objectives vary between the two roles: as a prosecutor, he seeks to dismantle the opposing case, while as a lawyer, he strives to build a compelling defense based on subtle implications.

CONCLUSION

In conclusion, the findings suggest that understanding and employing presuppositions are essential for succeeding in debates, business communication, and daily interactions. Yang Jong Hoon seeks knowledge to leverage against his opponents in both prosecution and defense. Informing the opponent about the existence of an object or skillfully reconstructing narratives with specific language can provide an advantage in discussions. Knowledge of presuppositions is also critical in other fields; in business negotiations, comprehending the opponent's interests is key to effective negotiation. Additionally, in everyday communication, it is important to consider people's prior knowledge to maintain amicable relationships.

During the research, the writer identified a potential area for further study: the types of presuppositions used by Yang Jong Hoon in a classroom setting. Such an analysis could enhance the study of presuppositions and aid educators in effectively conveying content using presuppositions. Yang Jong Hoon is an excellent subject for research due to his compelling use of language, both in the courtroom and as a lecturer. This research could deepen the understanding and application of presuppositions across various contexts, thereby improving human communication and interactions.

REFERENCES

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