

ISSN 2167-9045
Volume - 6, Number- 11
November 2017

Journal of Arts & Humanities



Journal of Arts and Humanities
official publication of
MIR Center for Socio-Economic Research

This website uses cookies to ensure you get the best experience. [Learn more](#) | [Hide this message](#)

DOAJ

DIRECTORY OF OPEN ACCESS JOURNALS

SUPPORT DOAJ

[Home](#) [Search](#) [Browse Subjects](#)

Journal of Arts and Humanities

2167-9045 (Print); 2167-9053 (Online)



[Homepage](#)

Publisher: MIR Center Press

Society/Institution: Maryland Institute of Research

Country of publisher: United States

Platform/Host/Aggregator: OJS

Date added to DOAJ: 13 Jun 2013

Record Last Updated: 8 Nov 2017

LCC Subject Category: General Works: History of scholarship and learning. The humanities | Social Sciences: Social sciences (General)

Publisher's keywords: Social Science, Literature, Philosophy, Arts, Humanities, Education

Language of fulltext: Spanish; Castilian, French, English

Full-text formats available: PDF



ISSN 2167-9045 (print)
ISSN 2167-9053 (online)

- HOME
- ABOUT
- LOGIN
- REGISTER
- SEARCH
- CURRENT
- ARCHIVES
- ANNOUNCEMENTS
- INDEXING
- EDITORIAL BOARD
- REVIEWERS

[Home](#) > [About the Journal](#) > [Editorial Team](#)

Editorial Team

Managing Editor

Jordi C. Abello, United States

Editorial Board Members

- Ahmadreza Yalameha, Azad University, Iran
- Alunica MORARIU, University of Suceava, Romania
- Ana Crespo Solana, Instituto de Historia, Spain
- Bengt-Arne Vedin, Professor emeritus, Sweden
- Claudine Perreault, M.S., J.D., Ph.D. (ABD), University of Massachusetts-Lowell, United States
- Dr. Abdellatif Attafi, College of Charleston, United States
- Dr. Donna Yarri, Alvernia University, United States
- Dr. Michael R. Catanzaro, Tennessee State University, United States
- Dr. Spencer S. Stober, Alvernia University, United States
- Hezi Brosh, United States Naval Academy, United States
- Patty K. Wongpakdee, New York Institute of Technology, United States
- Prof. Dr. Bulent Acma, Anadolu University, Turkey
- Prof. Mariano de Blas, Complutense University, Spain
- Sharla Blank, Washburn University, United States
- Yousef M. I. Awad, University of Jordan, Jordan



This work is licensed under a [Creative Commons Attribution 4.0 International License](#).

If you find difficulties in submitting manuscript please forward your doc file to support@theartsjournal.org. Our support team will assist you in submission process and other technical matters.

In order to get notifications on inbox please add [theartsjournal.org](mailto:support@theartsjournal.org) in your email safe list.

Journal of Arts and Humanities (Print) ISSN:2167-9045

Journal of Arts and Humanities (Online) ISSN: 2167-9053

[Journal of Arts and Humanities previously published by MIR Center for Socio-Economic Research, MD, USA. From February 2018 this journal is published by the LAR Center Press, OR, USA]

Submit your paper



CALL FOR PAPERS

INFORMATION

[For Authors](#)

USER

Username

Password

Remember me

DONATIONS

FONT SIZE

KEYWORDS

Cinema **Culture**
 Education
 Emotional Design
 Environment
 Gender Greece
 Kenya Linguistics
 Nigeria
 Performance
 Shakespeare Writer
 art education
 leadership love
 meditation
 pedagogy reading
 space

JOURNAL CONTENT

Search

Search Scope

All

Browse

- [By Issue](#)
- [By Author](#)
- [By Title](#)



ISSN 2167-9045 (print)
ISSN 2167-9053 (online)

- HOME
- ABOUT
- LOGIN
- REGISTER
- SEARCH
- CURRENT
- ARCHIVES
- ANNOUNCEMENTS
- INDEXING
- EDITORIAL BOARD
- REVIEWERS

[Home](#) > [About the Journal](#) > [Journal Contact](#)

Submit your paper



CALL FOR PAPERS

Journal Contact

Mailing Address

Publications Department & US Headquarters

LAR Center Press

9450 SW Gemini Drive, Beaverton, OR 97008, United States

Phone: (503) 433 4938, (503) 749 0115

Canadian Headquarters

439 University Avenue, Toronto, ON, M5G 1Y8, Canada

Phone: +1 647 848 2818, Fax: +1 647 849 1032

Printing and Shipping Supplier (Offshoring)

Printing and distribution services are outsourced (offshored) from China, Bangladesh and Thailand.

E-mail Us:

Editorial Department: For all editorial communication: editor@theartsjournal.org

Parcel Tracking: For shipping and delivery information of the printed copy of the journal, please contact at the following e-mail with *journal name, volume number and mailing address*: printcopy@thelar.org

Technical Help: For technical assistance including authentication and linking issues, showing error messages or any mismatch regarding any article, please contact at: support@theartsjournal.org

Principal Contact

Jordi C. Abello

Managing Editor

Phone: (410) 779 9903

Email: editor@theartsjournal.org

Support Contact

Support Team

Email: support@theartsjournal.org

INFORMATION

[For Authors](#)

USER

Username

Password

Remember me

DONATIONS

FONT SIZE

KEYWORDS

[Cinema Culture](#)
[Education](#)
[Emotional Design](#)
[Environment](#)
[Gender Greece](#)
[Kenya Linguistics](#)
[Nigeria](#)
[Performance](#)
[Shakespeare Writer](#)
[art education](#)
[leadership love](#)
[meditation](#)
[pedagogy reading](#)
[space](#)

JOURNAL CONTENT

Search

Search Scope

All ▼

Browse

[By Issue](#)

[By Author](#)

[By Title](#)



ISSN 2167-9045 (print)
ISSN 2167-9053 (online)

- HOME
- ABOUT
- LOGIN
- REGISTER
- SEARCH
- CURRENT
- ARCHIVES
- ANNOUNCEMENTS
- INDEXING
- EDITORIAL BOARD
- REVIEWERS

Submit your paper



[Home](#) > [Indexing](#)

CALL FOR PAPERS

Indexing

ADVANCED SCIENCES INDEX (ASI)

BASE

CrossRef

DOAJ

DRJI

EBSCOhost

Google scholar

IndexCopernicus

JournalSeek

LOCKSS

Microsoft Academic Search

OAIster/WORLDCAT

PKP Open Archives Harvester

ProQuest

Standard Periodical Directory

Ulrich's Serial Solution

INFORMATION

[For Authors](#)

USER

Username

Password

Remember me

DONATIONS

FONT SIZE

KEYWORDS

[Cinema](#)
[Culture](#)
[Education](#)
[Emotional Design](#)
[Environment](#)
[Gender](#)
[Greece](#)
[Kenya](#)
[Linguistics](#)
[Nigeria](#)
[Performance](#)
[Shakespeare](#)
[Writer](#)
[art](#)
[education](#)
[leadership](#)
[love](#)
[meditation](#)
[pedagogy](#)
[reading](#)
[space](#)



This work is licensed under a [Creative Commons Attribution 4.0 International License](#).

If you find difficulties in submitting manuscript please forward your doc file to support@theartsjournal.org. Our support team will assist you in submission process and other technical matters.

In order to get notifications on inbox please add theartsjournal.org in your email safe list.

Journal of Arts and Humanities (Print) ISSN:2167-9045

Journal of Arts and Humanities (Online) ISSN: 2167-9053

[Journal of Arts and Humanities previously published by MIR Center for Socio-Economic Research, MD, USA. From February 2018 this journal is published by the LAR Center Press, OR, USA]

JOURNAL CONTENT

Search

Search Scope

All

Browse

[By Issue](#)
[By Author](#)
[By Title](#)



ISSN 2167-9045 (print)
ISSN 2167-9053 (online)

- HOME
- ABOUT
- LOGIN
- REGISTER
- SEARCH
- CURRENT
- ARCHIVES
- ANNOUNCEMENTS
- INDEXING
- EDITORIAL BOARD
- REVIEWERS

Submit your paper



Home > Archives > Vol 6, No 11 (2017)

CALL FOR PAPERS

Vol 6, No 11 (2017)

November

INFORMATION

For Authors

Table of Contents

USER

Username

Password

Remember me

Login

Article

Gadamerian Hermeneutics in An Artistic Process of Retno Maruti And Bulantrisa Djelantik's Bedoyo-Legong Calonarang
Riana Diah Sitharesmi PDF 01-08

Lytton Strachey, a Rebellious Man of Peculiarity: A Review of Holroyd's Lytton Strachey: The New Biography
Qinchao Xu, Junhao Li PDF 09-19

Concientización y patriarcado en "Desastres íntimos" de Cristina Peri Rossi
Mingyo Suh PDF 20-30

The Use of Language Variation in Narrating the Story of Lahilote by Students with Physical Disability at an Exceptional School in Gorontalo City
Ellyana Hinta PDF 31-37

Analysis of Discourse Structure of Cases Verdict in The District Court (A Study of Legal Language)
Usman Pakaya PDF 38-47

The Language Family Relation of Local Languages in Gorontalo Province (A Lexicostatistic Study)
Asna Ntelu, Dakia N Djou PDF 48-59

DONATIONS

FONT SIZE

KEYWORDS

- Cinema
- Culture
- Education
- Emotional Design
- Environment
- Gender Greece
- Kenya Linguistics
- Nigeria
- Performance
- Shakespeare
- Writer art
- education
- leadership
- love meditation
- pedagogy
- reading space

Interview

Pitch Range in the Production of Saudi and English Women
Reem Omar Maghrabi PDF 60-64

JOURNAL CONTENT

Search



This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).



ISSN 2167-9045(print)
ISSN 2167-9053(online)

HOME ABOUT LOGIN REGISTER SEARCH
CURRENT ARCHIVES ANNOUNCEMENTS
INDEXING EDITORIAL BOARD REVIEWERS

Home > Vol 6, No 11 (2017) > Pakaya

ABOUT THE AUTHOR

Usman Pakaya
Department of English Education,
Faculty of Letters and Culture,
Universitas Negeri Gorontalo
Indonesia

Submit your paper



CALL FOR PAPERS

INFORMATION

For Authors

USER

Username

Password

Remember me

Login

DONATIONS

FONT SIZE

ARTICLE TOOLS

Print this article

Indexing metadata

How to cite item

Analysis of Discourse Structure of Cases Verdict in The District Court (A Study of Legal Language)

Usman Pakaya

Abstract

The title of this article is the discourse structure of cases verdict in the district court (a study of legal language). This article discusses several elements that compose verdict in a criminal case, such as heading, the identity of the defendant, the attorney's indictment, witnesses' testimony, the testimony of the accused, and the verdict statements. This study employed the qualitative method to find out the scientific facts. This article is aimed at proving that discourse structure can be used as a framework in unraveling a case verdict.

Keywords

Discourse, Language Usage, Sociolinguistic

Full Text:

[PDF](#)

References

Brown, G., & Yule, G. (1996). Discourse analysis. Cambridge: University Press.

Charty, M. M. (1997). Discourse analysis for language teachers. Cambridge: Cambridge University Press.

Fasold, R. (1993). The sociolinguistics of society. New York: Basil Blackwell.

Halliday, M. A. K. (1994). Bahasa, teks, dan konteks (Terjemahan asrudin baroti) [Language, texts and contexts]. Yogyakarta: Gamma University Press.

Hatch, E. (1992). Discourse and language education. Cambridge: Cambridge University Press.

Jorgensen, M. W. (2007). Analisa wacana: Teori dan metode [Discourse analysis: theories and methods]. Yogyakarta: Pustaka Pelajar.

Muhadjir. (1990). Metode penelitian kualitatif [Qualitative research methodology]. Gramedia: Jakarta.

Rani, A., Arifin., & Martutik. (2006). Analisa wacana: Sebuah kajian bahasa dalam pemakaian [Discourse analysis: A study of language use]. Malang: Banyumedia Publishing.

Schiffrin, D. (1994). Approaches to discourse. Cambridge: Blackwell.

Tarigan, H.G. (1987). Pengajaran wacana [Discourse teaching]. Bandung: Angkasa.

Other Sources: Criminal Case verdict in Gorontalo District Court.

DOI: <http://dx.doi.org/10.18533/journal.v6i11.1286>

Refbacks

- There are currently no refbacks.



This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).

If you find difficulties in submitting manuscript please forward your doc file to support@theartsjournal.org. Our support team will assist you in submission process and other technical matters.

In order to get notifications on inbox please add theartsjournal.org in your email safe list.

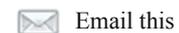
Journal of Arts and Humanities (Print) ISSN:2167-9045

Journal of Arts and Humanities (Online) ISSN: 2167-9053

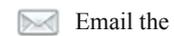
[Journal of Arts and Humanities previously published by MIR Center for Socio-Economic Research, MD, USA. From February 2018 this journal is published by the LAR Center Press, OR, USA]



References



Email this article (Login required)



Email the author (Login required)

KEYWORDS

Cinema

Culture

Education

Emotional Design

Environment

Gender Greece

Kenya Linguistics

Nigeria

Performance

Shakespeare

Writer art

education

leadership

love meditation

pedagogy

reading space

RELATED ITEMS



JOURNAL CONTENT

Search

Search Scope

All

Search

Browse

[By Issue](#)

[By Author](#)

[By Title](#)



Journal of Arts & Humanities

Volume 06, Issue 11, 2017, 38-47

Article Received: 18-10-2017

Accepted: 09-11-2017

Available Online: 18-11-2017

ISSN: 2167-9045 (Print), 2167-9053 (Online)

DOI: <http://dx.doi.org/10.18533/journal.v6i11.1286>

Analysis of Discourse Structure of Cases Verdict in the District Court: A Study of Legal Language

Usman Pakaya¹

ABSTRACT

The title of this article is the discourse structure of cases verdict in the district court (a study of legal language). This article discusses several elements that compose verdict in a criminal case, such as heading, the identity of the defendant, the attorney's indictment, witnesses' testimony, the testimony of the accused, and the verdict statements. This study employed the qualitative method to find out the scientific facts. This article is aimed at proving that discourse structure can be used as a framework in unraveling a case verdict.

Keywords: Discourse, Language Usage, Sociolinguistic.

This is an open access article under Creative Commons Attribution 4.0 License.

1. Introduction

The discussion on the structure of case verdict is due to the unique characteristics of legal language. Legal language has distinctive characters that distinguish it from other types of language. This distinction is not only because its regulating function forms the legal language as its main characteristic, but also because the composition of legal language is built upon a systematic and complete framework.

The systemic and completeness of this discourse are evident in the whole ideas described in the text, which include the topic selection, introduction, content, to the conclusion, which wrapped up systematically as a regulation. This is rarely found in another type of language that free of values. Other types of language emphasize on the substance, hence, the participants and the utterance situation rely on the context that will automatically shape this up.

In legal language, everything is described in detail and simultaneous; no skipping, no modification, no partiality, and no simplification of concept. Everything is described, because this is due to prevailing regulations and public interest. The regulation has to be well delivered to the society.

For this reason, Indonesian legal language is under the influence of Dutch and European Continent legal language. In addition to Indonesian adoption of these countries legal systems, it is also

¹ Department of English Education, Faculty of Letters and Culture, Universitas Negeri Gorontalo, Email: usman_ung@yahoo.com

due to the concern that the team who will formulate the legal system will not be able to an easy to understand the legal product. Even though in reality, the current legal language is also not easy for some people to understand it, at least the public is used to this legal language.

Further, the legal language used in Holland and continental Europe in their civil law that we adopt are considered to have strong legal codification characters, either in its form, structure or its content. This suits the Indonesian socio-cultural condition that often easily accepts a blue print of legal conception.

It is harder for Indonesian to accept the common law legal system applied in Anglo Saxon countries (Canada, USA, UK, and Australia) that adopt the unwritten legal system. The legal systems in these countries refer only to the jurisprudence of law as the authority of the judges; thus, the legal product is more technical. There is no need for a written law, which in turn the language structure is also not systematically and hierarchically developed as of those of civil law.

On the other hand, in Indonesian reasoning tradition, the law is something binding which cannot be spontaneously changed. Therefore, a law needs to be clearly formulated, and the formulation is in the form of codification for it to be well-documented.

The legal documentation consists of legal norms as guidance in regulating the values and acceptable behaviors within a society. The complete language structure shapes the norms that this structure is systematically and neatly arranged to complement each other; even the boundaries are well-described for people to fully understand that legal entity.

Further, related to the analysis of a language used in a text, such as verdict of a criminal case, [Brown and Yule \(1996\)](#) state that discourse analysis is an analysis of a language being used, and language is studied based on the objective or the needs of that language usage. In contrast, [Charly \(1997\)](#) notes that discourse analysis is related to a study on the correlation between language and context where a language is used. It refers to the concept that discourse analysis is a study of text and context, where text and context are a set of tools used in studying the text. This is in line with [Fasold \(1993\)](#) who states that there are several things that can be done in discourse analysis, such as analysis of text and the situation that accompanies the text. In this sense, text and context are both necessary in analyzing the discourse.

[Halliday \(1994\)](#) also claim that text is a functioned language, which is a language can be recognized when it is doing certain tasks in certain contexts. This means that the presence of text is due to the context or that context can be identified based on the existence of text.

Meanwhile, the main purpose of analyzing a text is to consult and not to find norms. This is insisted by [Rani, Arifin and Martutik \(2006\)](#) who state that discourse or text analysis is often not properly formulating the norms such as in grammar. Therefore, the objective of discourse analysis is to find the objective of language usage. Due to this reason as well, various methods can be occupied in discourse analysis, as [Jorgensen \(2007\)](#) explains that a discourse analysis is not a single approach; rather it is a multidisciplinary approach that can be used to explore various social domains in different types of study. In this sense, it is highly possible if the discourse analysis engages another branch of science based on each of their perspectives.

Next, in analyzing a text, the text structure should have an integrity that is built upon components of a text organization; this organization is called as text structure ([Rani, et al., 2006](#)). Therefore, a text structure should have a complete structure; each of them should have strengthened one another. [Halliday \(1994\)](#) also add a concept by stating that a series of sentences can be considered a text structure when it contains emotional relations or meaning between one part to another part. This means that the elements within a text have to be synchronized in its shape and meanings. [Halliday \(1994\)](#) insist that a text structure is units of language that have a unity of meaning and is practical and situational. It implies that in addition to having unity in meaning, it has to be functional and contextual.

On the other hand, the text structure in criminal case verdict functions as a framework in solidly describing the verdict's concept. Group of variables within a verdict is considered an integrated unit rather than separated entities. Hence, the final result of a verdict can be viewed as a one-piece unit text.

2. Research method

This study used the qualitative method to find the in-depth scientific truth of a studied object with the accurate result (Muhadjir, 1990).

3. Findings and discussion

The verdict texts in this article are taken from the samples of a criminal case in Gorontalo district court. The structure of the text comprises of heading, the identity of the accused, prosecutor's indictment, witnesses' testimony, the testimony of the defendant, and verdict statements by the judges.

3.1 Heading

The heading is the foremost part of a verdict letter in a criminal case, which consisted of the following statement:

“FOR JUSTICE BASED ON THE BELIEF IN THE ONE AND ONLY GOD”

“The District Court of Gorontalo who administers justice to criminal cases in the first level by investigating the cases and has passed the following verdict, in the case of the Accused.”

The formulation “FOR JUSTICE BASED ON THE BELIEF IN THE ONE AND ONLY GOD” is written in capital letters. This statement is applied to all cases in the justice courts. This statement meant that the entire verdict made by the judges should be able to provide fairness based on the belief in the one and only God for the society. This is as form of spiritual responsibility of the judges to the One and Only God in addition to them being morally responsible for those who seek justice and the society. Moreover, this opening statement also gave the executorial power for the injunction, without this declaration, the judges would not be able to implement the injunction.

This heading was then followed by the statement,

“The District Court of Gorontalo who administers justice to criminal cases in the first level by investigating the cases and has passed the following verdict, in the case of the Accused.”

The usage of wording in the sentence above was straightforward. This was evident in how the sentence described the substance of the verdict directly in which the court institution introduced the Gorontalo district court as an institution that issued the verdict was the court that implements the hearing of the criminal case of the accused.

In this sentence, it was not mentioned in detail what was meant by the statement ‘criminal cases at the first level by common investigation’, which means that the criminal cases that can be heard at the first level court were within the category of criminal cases whose verification could be easily done. This was due to the court institution that considered the attorney, the lawyer or legal counsel, or the subject of the law being heard have understood the meaning of that statement. This is related to the esotericism of the legal language.

3.2 Identity of the accused

The identity of the accused consisted of personal data of the accused as the subject of the law in the criminal case.

Full Name	: ROY DJAFAR alias Roy
Place of Birth	: Parungi, District of Gorontalo
Age/Date of Birth	: 17 YO/05 September 1989
Sex	: Male
Nationality	: Indonesia
Address	: Labanu village of Tibawa sub-district
Religion	: Islam
Occupation	: Ojek Driver

The example above can be described as follow, the name of the accused was written in capital. The writing included the full name and alias, for instance, ROY DJAFAR alias Roy. The place of birth mentioned was the sub-district or the city or district where the accused was born, for example *Parungi*. The age and date of birth referred to the age of the accused along with the date, month and year when the accused was born, e.g., *17 YO/ 5 September 1989*. The sex mentioned the sex of the accused, e.g., *male*. The nationality of the accused was also mentioned, e.g., *Indonesia*. The address mentioned was the detail address of the accused, e.g., *Labanu village, Tibawa sub-district*. The religion that was

followed by the accused was mentioned next, e.g. *Islam*. The occupation of the accused was mentioned last, e.g., *ojek driver*.

The description of the accused identity as in this example shows that every structure of the text was part of the text itself (Halliday, 1994). The points after the beginning of the text and the previous parts were preconditioned for the next part as an integrated part, or it could be said that text was a unity of an idea. Each concept would give the overall meaning that would like to be developed, including the considered context where the text was made.

In this sense, the accused identity became an inseparable part of the case verdict. Furthermore, it became the main component of the verdict's description. This was evident in the placement of the accused identity in the first part of the case verdict.

By placing the identity of the accused in the beginning of the criminal case's verdict, it also showed that the verdict belonged to the legal subject whose personal identity was mentioned in the beginning of the verdict. Consequently, the whole discussion was on the criminal acts committed by the person whose identity was mentioned.

Further, within the case verdict, the identity of the accused was mentioned in detail, even the name of the accused was mentioned with its alias; this means that the intended legal subject is the same person whose name was mentioned or with another name.

The needs to describe the complete identity were to give complete information on the identity of the accused. Personal identity of the accused could be used as a guideline in comprehensively studying the formal requirements of the case.

Fulfillment of the official requirements and material requirements are a basis to prove the implementation of the criminal elements. It can also be a basis for investigation of the criminal case before the judges pass their injunction.

The law has also insisted this. The law stipulates that if one of the requirements, for instance, formal requirement were not observed, such as the identity of the accused in the indictment, as part of the injunction in a criminal case would cause the judge to drop the indictment automatically.

3.3 Prosecutor's indictment

The attorney's indictment is a statement of the attorney's indictment in a verdict letter of a criminal case.

The judges have heard the prosecutor's indictment whose essence is as follow:

- a. Stated that the Accused, AGUS DJAMA alias AGUS has been legally and convincingly guilty in committing the criminal act of "committing vandalism" as stipulated in Article 406 Clause (1) of Criminal Code.
- b. Passed the injunction toward the Accused AGUS DJAMA alias AGUS with 6 (six) months imprisonment sentence, including the imprisonment time that the Accused had served in his temporary imprisonment, and decreed the Accused to stay in the prison.
- c. Decreed for the evidences that consisted of:
 - 12 (twelve) pieces of the porcelain jar made from yellow-colored clay.
 - 3 (three) pieces of the shattered clear glass, to be returned to the victim witness.
- d. Decreed for the Accused AGUS DJAMA alias AGUS to pay for the case fee of Rp. 1.000 (one thousand rupiah).

The sample above can be described as follow. Based on some consideration, the attorney asked the judges to decree that the Accused Agus Djama to be Guilty of vandalism crime and sentenced the Accused to six-month imprisonment. Further, the prosecutor asked for the evidence to be returned to the victim and that the accused to pay for the case fee.

Additionally, in analyzing the text as of the sample above, it can be described into several parts, including describing the structure of the text, describing the text structure as consequence of the objective and intention of the speaker, and showing the structure as development of communication that was socially and cooperatively formed (Hatch, 1992).

Describing the structure of the text is by understanding the structure as characteristic of a text. Meanwhile, in describing the structure, the emphasis lay on how the utterances of the speaker's idea during the production of a text for an objective to be achieved. Further, the text is viewed as an entity developed among participants engaged in communication.

The structure of a text within the prosecutor's indictment consisted of two parts, consideration and indictment. In consideration part, it includes the prosecutor's statement, such as *"following the hearing of the prosecutor's indictment whose essence is as follow"*, then followed by the indictment statements, such as *Stated that the Accused, AGUS DJAMA alias AGUS has been legally and convincingly guilty in committing the criminal act of "committing vandalism" as stipulated in Article 406 Clause (1) of Criminal Code. Passed the injunction toward the Accused AGUS DJAMA alias AGUS with 6 (six) months imprisonment sentence, including the imprisonment time that the Accused had served in his temporary imprisonment, and decreed the Accused to stay in prison. Decreed for the evidence that consisted of 12 (twelve) pieces of the porcelain jar made from yellow-colored clay, 3 (three) pieces of the shattered clear glass, to be returned to the victim witness. Decreed for the Accused Agus Djama alias Agus to pay for the case fee of Rp. 1,000 (One Thousand Rupiah).*

These consideration part and indictment part were complementing each other; the consideration would be meaningless without the accusation, and vice versa. This means that the unity of the text depends on the context that accompanies it.

Further, the prosecutor's indictment is statement delivered by the prosecutor in an open hearing. The prosecutor is a state officer authorized by the Constitution to conduct prosecution and carry out the judge's verdict.

Before passing the indictment, the prosecutor has to consider several things, such as: studying the case from the police investigator, listen to the accused's testimony, listen to the witnesses' testimony, and study the evidence. In addition, the prosecutor also can consider the accused plea for a lighter sentence.

Prosecutor indictment could be identified as a binding statement and action statement. The binding statement meant that the accused had to respect, obey and abide the prevailing laws and regulation, as mentioned in the indictment statements.

Whereas the action statement was solving a problem and determining the rights or the sentence. In this sense, the attorney determines the legal consequences that have to be paid by the accused to the consequences of his actions.

3.4 Witness testimony

A witness is a person who gives evidence for the purpose of the investigation, prosecution, and litigation of a criminal case. A witness is also an individual who saw, directly heard a case. Considering that, in litigation the Prosecutor has presented three witnesses, each of which has given sworn testimony, which summarized as follow:

a. WITNESS ERNA NAUE:

- That on Sunday, 08th of June 2008 at 3.30 pm in the witness' house in Heledulaa Utara village of Kota Timur Sub-district, City of Gorontalo, the defendant broke the witness porcelain vase, and the splinter had hit the witness eyebrow causing a wound as proven by the Visum Et Repertum.
- That the witness has no objection anymore toward the defendant action.
- That the witness did not know what has caused defendant's action.

b. WITNESS HASNA LATALA

- That the witness is the daughter of the victim, however, she did not see the defendant broke the porcelain vase and wound the victim's brow.
- That the event happened on Sunday, 08th of June 2008 at 3.30 pm in the witness' house in Heledulaa Utara village of Kota Timur Sub-district, City of Gorontalo.
- That the witness did not know what has caused defendant action.
- That the witness has no objection anymore toward the defendant's action as mentioned in the letter to revoke this case.

c. WITNESS AHMAN POLAPA

- That on Sunday, 08th of June 2008 at 03.30 pm in the victim's house in Heledulaa Utara village of Kota Timur Sub-district, City of Gorontalo, the witness saw the defendant and his friends drank an alcoholic beverage.

- That after drinking the alcoholic beverage the defendant got angry and broke the porcelain vase that belongs to the victim and the splinter hit the victim's brow and wounded the victim.
- That the porcelain vase had broken and can no longer be used or repaired.

The example above can be described as follow: three witnesses, namely, Erna Naue, Hasna Latala had understood and no longer objected the defendant's action, whereas, Ahman Polapa did not give any statement other than his testimony.

In discourse context, the sample above on the witness' testimony can be viewed from the script concept; discourse understanding is based on the context of the language used, whereas the script emphasizes in the context of knowledge co-owned by the speakers (Schiffrin, 1994).

In other words, in certain circumstances, the content of the text only aimed at the utterers who have knowledge in the context of the utterances. As in the witnesses' testimony above, where the witnesses' opinion can be understood as a normative explanation of a legal event which involves the witnesses as the legal subject of a case.

The witnesses' testimony written in the case verdict is evidence within a criminal case, in forms of information provided by the witnesses on an event witnessed, heard, or experienced by the witnesses. That information has also mentioned and explained the whys and wherefores of the case being known to them. This is as seen in the sample of Hasna Latala's testimony below:

- That the witness is the daughter of the victim, however, she did not see the defendant broke the porcelain vase and wound the victim's brow.
- That the event happened on Sunday, 08th of June 2008 at 3.30 pm in the witness' house in Heledulaa Utara village of Kota Timur Sub-district, City of Gorontalo.
- That the witness did not know what has caused defendant action.
- That the witness has no objection anymore toward the defendant's action as mentioned in the letter to revoke this case.

Further, in positive law, this witness testimony is a requirement to prove a case, in addition to the defendant's testimony. Witness' testimony is also considered to have significant role in verification and to obtain the real truth.

The witness's testimony is presented in sentences. The ideas between one sentence to the other is correlated in which each sentence is preceded with the conjunction *that*. The usage of conjunction *that* at each beginning of a sentence serves to describe the context of the legal event known to the witness, that has the same function as to provide emphasis to a thing.

In a criminal case investigation, the presence of several witnesses is possible. In such condition, witnesses that are not known to each other can still be used as valid evidence, as long as the witnesses' testimony is coherent to one another, hence can be used to determine an event as true or false.

The need to use several witnesses in a court hearing, as seen in the example above, is due to the information provided by a witness is considered insufficient in proofing a case committed by the defendant. Therefore, other witnesses' testimony is needed for the panel of judges to make a correct decision. In this case as stipulated in Criminal Code Article 185 (2) which stated that the testimony of a witness is insufficient to prove that the defendant is guilty of the accused.

There are two types of testimony provided by witnesses, mitigating witnesses put forward by the defendant to defend the defendant, and aggravating witness, the witness whose testimony aggravated the accusation toward the defendant, usually put forward by the attorney.

Based on this example, in general, the witness testimony presented in front of the court consists of several elements related to the substance of criminal offense committed by the defendant. Those elements are the criminal offense action, the offense, the situation accompanying the offense, the object of the criminal offense, and the quality of the legal subject of the criminal offense.

3.5 Defendant's statement

Defendant's statement is the statement taken from the question and answer session between judge and defendant, attorney and the defendant, and also between the lawyer and the defendant. The formulation of the defendant's responds is then used as consideration in the hearing.

Considering that, during the trial, the court has heard the defendant's testimony, which described as follow:

- That on Monday the 31st of March 2008 about 08.00 pm in Lahumbo village of Tilamuta sub-district, Boalemo regency. The defendant has uttered insulting words toward the victim witness Husin Bin Dai;
- That the defendant uttered the insults in Gorontalo language “ “Bintangmu Rama, Wuti Liyombumu Rama, tele Liyombumu Rama” which equated the victim witness to animal, and insult the victim’s grandparents, as well as accusing the victim as a person who practices black magic”;
- That the defendant has uttered the insults in front of many people, in the main street of Lahumbo village of Tilamuta sub-district, hence, heard by many people;
- That the defendant has said the insults because the victim witness has planted a white fabric behind the defendant’s house and the defendant considered it as sorcery;
- That due to the defendant’s action, the victim witness has felt embarrassed and his good name and his family name has been tainted;

The example above can be described as follow. The defendant has given a testimony which in principle he admitted the offense that he committed on the 31st of March 2008, where he has insulted Husin Bin Dai in public. The insult, according to the defendant, was uttered because the victim has practiced black magic on him.

This example on the defendant’s note can be related to discourse definition according to the functionalist as an aspect of language usage that description of linguistic forms has to include the objective or functions of those that are designed to exist in human lives. This indicates a correlation between social life, where the analysis will correlate meaning, activity, and system within it (Schiffrin, 1994). In other words, the discourse emphasizes on the correlation between language and context.

Correlation between language and context lays on the substance of the defendant’s response to the questions asked of him in front of the court, which refers to the situation that involves the defendant in a criminal accused to him. In this case, the defendant understood the case being accused to him. This was evident in the following sentences:

- That the defendant uttered the insults in Gorontalo language “ “Bintangmu Rama, Wuti Liyombumu Rama, tele Liyombumu Rama” which equated the victim witness to animal, and insult the victim’s grandparents, as well as accusing the victim as a person who practices black magic”;
- That the defendant has uttered the insults in front of many people, in the main street of Lahumbo village of Tilamuta sub-district, hence, heard by many people;

Further, the defendant’s testimony is one of the valid evidence. Within the KUHAP (Civil Code, henceforth called as KUHAP) Article 189 (1) it is regulated that the defendant’s testimony is what has been stated by the defendants in front of the court on the action that he or she had committed or things that she or he knew or experienced. Defendant’s testimony can be one of the judges’ considerations in finding the material truth of the case.

The description of the defendant’s testimony in a criminal case verdict is the summary of the defendant’s response toward the questions asked by judges, attorney, and lawyer. The format of the question and answer session is a dialogic conversation, where communication among defendant, judges, attorney, and lawyer is held in a usual conversation manner.

Each description of the defendant’s testimony is preceded by the word *that*, and information sentence form, where the defendant provides his explanation to the legal enforcer related to the case where he was involved.

Based on this example, it is clear that there are three substances of the defendant’s information, the offense committed, the offense known, and the offense experienced by the defendant.

The criminal offense committed by the defendant is a pure criminal case committed by himself. Whereas, the criminal offense known by the defendant is that the defendant himself knows that event, how he committed the offense, or how that offense accused to him is committed. Next, the criminal action experienced by the defendant himself that is the experience in relation to the criminal offense accused to him.

3.6 Verdict statement by judges

Verdict statement by judges is the verdict given to the defendant.

VERDICT

- Pronouncing the defendant, RISI Bin AJIBA whose identity has been mentioned above has been convincingly proven as guilty of the “insult” crime.
- Sentenced the defendant due to its crime with five months prisoning.
- Ruled that the sentence does not have to be served unless in the next ten months the Defendant is also sentenced by the Judge with legally binding power after the defendant committed another crime.
- Ordered the defendant to pay the hearing cost of IDR 1.000,- (one thousand rupiah).

This verdict is reached in the deliberation of the Judges Panel in District Court of Tilamuta on Wednesday, the 17th of September 2008, by us: SUGIH HARTONO, S, H,MH, as judge chairman, ARIYAS DEDY, S.H. and CHAIRIL MAHYUDI.SH, each as member of the judge panel, and this verdict is read in front of public on the same day by the chairman of the judge accompanied by the member of the judge panel and assisted by : SARTONO NOHO, S.H, replacing court administrator and is also attended by: NELDY DENNY, S.H. as prosecutor at Tilamuta District Attorney and the Defendant himself.

The sample above is described as follow. The panel of judges that consists of a chairman and two members of the judging panel have given their verdict that the defendant, Risi Bin Ajiba, has been convincingly proven to commit the insult crime. As its legal consequence, the defendant is sentenced to a five-month prisoning, with its sets of requirements. The judges also ordered the defendant to pay for the hearing cost. The sample in the verdict part by the judges can be described as a complete part, either in its form and meaning, as well as having a clear beginning and ending (Tarigan, 1987). In other words, the sentences in this text are coherent and cohesive, which make the plot of the text complete.

The formulation of sentences, described by the word *verdict*, as the main issue in judges’ order shows a cohesive reasoning and meaning. This is also the distinctive signature of legal language; where ideas between parts of sentences are combined with regulating functions entrenched within the culture of legal languages, such as maintaining orders, norms, and justice within the society. This is clear in the following sentences:

- Pronouncing the defendant, RISI Bin AJIBA whose identity has been mentioned above has been convincingly proven as guilty of the “insult” crime.
- Sentenced the defendant due to its crime with five months prisoning.
- Ruled that the sentence does not have to be served unless in the next ten months the Defendant is also sentenced by the Judge with legally binding power after the defendant committed another crime.
- Ordered the defendant to pay the hearing cost of IDR 1.000, (one thousand rupiah).

Further, the word, *verdict* which used by the judge in the verdict of a criminal case in general means to give legal sentencing toward the defendant for the crime committed. This is due to the authority given by the state to the judge through its jurisdiction to interrogate, tried, and decide cases.

Within a criminal case, verdict statement is the final part of the whole verdict. So, in general, the main idea of a verdict issued by the court can be understood as trying the defendant on the crime committed. Other utterances within the verdict used to fulfill the legal norms prescribed by the Constitution.

The *verdict* statement can also understand as ‘providing justice’ in a legal case. Because the judge is the embodiment of abstract law and justice. In this case, the judge is part of or continuation of norms and values applied within the society.

The legal formulation of the *verdict* is preceded by the judge's statement on the offense committed by the defendant, for instance, the defendant is guilty of murder crime. Then it is followed by the legal consequence that has to be served, for instance, one year and eleven months prisoning sentence, and then determining the evidence, such as one motor cycle. Moreover, ended with the hearing cost that has to be paid by the defendant, for example, the defendant is ordered to pay the hearing cost of one thousand rupiah. This formulation is in accordance with the KUHAP in maintaining peace and security within the community.

The case verdict is ended with the name and position of the judge and the court administrator. This part consists of the statement that the verdict is a result of a deliberation of judge panel on the

case being tried. Followed by the name and position of each the judging panel, and the court administrator involved in the court.

4. Conclusion

Criminal case verdict uses formal language in its description. The formal language is used to provide exoteric distinction on legal language as the main content in a criminal case. It also used to show that the verdict is a formal document issued by the state institution.

As a formal language, legal language in text and verdict of a criminal case has a united standard of language. This is needed because of the grammar of a language usage in the legal text cannot be changed anytime. This unity is not only in the descriptive sentence within the verdict but also formal in text form.

This formal format is in observance of the civil law. Some of them are a systematic form of text, and lengthy sentence composition, with ideas overlapping to one another.

Lengthy sentencing in a criminal case verdict is due to the sentence structure which has regulating function. The intended regulating function is sentence description in a criminal case verdict which regulates the orders, norms, and values within the society.

In addition to its embedding regulating function, the lengthy verdict of a criminal case is due to the influence of the Dutch law in Indonesian legal system. Therefore, the positioning of the subject, predicate, object, and adverbs in each sentence often does not follow the Indonesian Language grammar.

As a legal document, the criminal case verdict has a lingual element in its form and substance. The form is a whole discourse, whereas the substance can be identified from several things, such as its structure. These are the main elements for the development of a criminal case verdict.

Discourse in a criminal case verdict can be understood as a correlation among language text and context. This means that discourse analysis is a study of the text and everything that accompanied that text. In this part, the text is present due to the context, or it can also be said that context can be identified based on the presence of text.

Context identification can be made by understanding text comprehensively, such as the content, the form, the objective, and the participant. In addition, it can also consider the place where the text is created, such as a criminal case verdict made by a legal institution.

The content of the criminal case verdict is developed from coherently organized thinking framework, which amply described. In this case, the discussed issue is not only about the substance of the text in general, but also the composition of well-structured sentences, hence, in general, the criminal case verdict text is systematically and coherently arranged.

The coherence of the sentences in the text is shown through the formal relation between ideas, hence, the final product is a codification of the sentencing points. This also becomes the distinctive feature of legal document in a state that has *civil-law*, where the form of sentencing points has to be able to describe the legal event in a structured and coherent reasoning framework.

Complete and well-structured reasoning framework is meant to describe the concept of a verdict completely. It also makes a group of variables within the verdict treated as one complete unit, rather as separate entities. In this case, the criminal case verdict cannot be separately described, because the material of the verdict is the combination of description on stages of hearing, the process of investigation, and interrogation of the case. Therefore, describing the verdict material partially is considered to cut off the flow of the reasoning that would like to be built by the legal institution as the institution that issued the verdict.

5. Acknowledgments

I would like to thank Prof. Soepomo and Prof. I Dewa Putu Wijana for their insightful guidance and comments on this paper.

References

- Brown, G., & Yule, G. (1996). *Discourse analysis*. Cambridge: University Press.
 Charty, M. M. (1997). *Discourse analysis for language teachers*. Cambridge: Cambridge University Press.

- Fasold, R. (1993). *The sociolinguistics of society*. New York: Basil Blackwell.
- Halliday, M. A. K. (1994). *Bahasa, teks, dan konteks (Terjemahan asrudin baroti)* [Language, texts and contexts]. Yogyakarta: Gamma University Press.
- Hatch, E. (1992). *Discourse and language education*. Cambridge: Cambridge University Press.
- Jorgensen, M. W. (2007). *Analisa wacana: Teori dan metode* [Discourse analysis: theories and methods]. Yogyakarta: Pustaka Pelajar.
- Muhadjir. (1990). *Metode penelitian kualitatif* [Qualitative research methodology]. Gramedia: Jakarta.
- Rani, A., Arifin., & Martutik. (2006). *Analisa wacana: Sebuah kajian bahasa dalam pemakaian* [Discourse analysis: A study of language use]. Malang: Banyumedia Publishing.
- Schiffrin, D. (1994). *Approaches to discourse*. Cambridge: Blackwell.
- Tarigan, H.G. (1987). *Pengajaran wacana* [Discourse teaching]. Bandung: Angkasa.

Other source

Criminal Case verdict in Gorontalo District Court.

List of contributors in this issue

Riana Diah Sitharesmi

Gadamerian Hermeneutics in an Artistic Process of Retno Maruti and Bulantrisa Djelantik's Bedoyo-Legong Calonarang
(P. 01-08)

Qinchao Xu, Junhao Li

Lytton Strachey, A Rebellious Man of Peculiarity: A Review of Holroyd's Lytton Strachey: The New Biography
(P. 09-19)

Mingyo Suh

Concientización y patriarcado en "Desastres íntimos" de Cristina Peri Rossi
(P. 20-30)

Ellyana Hinta

The Use of Language Variation in Narrating the Story of Lahilote by Students with Physical Disability at an Exceptional School in Gorontalo City
(P. 31-37)

Usman Pakaya

Analysis of Discourse Structure of Cases Verdict in the District Court: A Study of Legal Language
(P. 38-47)

Asna Ntelu, Dakia N. Djou

The Language Family Relation of Local Languages in Gorontalo Province: A Lexicostatistic Study
(P. 48-59)

Reem Omar Maghrabi

Pitch Range in the Production of Saudi and English Women
(P. 60-64)