CHAPTER II

LITERATURE REVIEW

This chapter concern on theories which are employed as the bases of analysis in this research. These theories are necessary to support the idea, prevent ambiguity, and limit the discussion of the research. The theories of Critical Discourse Analysis proposed by Fairclough, history of Puritans, and Governmental terms belong to the theories employed in this text.

A. Critical Discourse Analysis and Power

There are various discourses that can be found in a society. Those discourses contain certain issues based on the topic of the issues they involved to. It can be politic, law, entertainment, or even medical issue. A discourse may use language to express the main issue and further explanation about it. Therefore, language is a crucial aspect which forms the discourse. Critical Discourse Analysis (CDA) is one of approaches which can be employed to analyze a discourse linguistically, or further, socially. It analyzes the language use and the power relation among the participants involved in a discourse.

1. Power

Fairclough states that there are two kinds of power; power in discourse and power behind discourse (1989:43). Power in discourse can be analyzed textually since the text is seen as the site of power struggle. It means that in a discourse there is a process of power struggling between the participants. The power behind the discourse sees the discourse as the stake in power struggles. It means that the
discourse is a main media used to struggle the locutor(s)’ power, and there are several aspects of society such as history, geographical background, or others which is used to support the power struggle. In this research, the Power in discourse can be analyzed textually through the sentences written down in the statute. Meanwhile, the Power behind discourse can be seen from the history of Puritans who had settled North America and takes an important role in constructing American values (Kang, 2009).

2. Power Relation

Fairclough defines power relations as the engagement process of which social groupings with different interests engage with another, and they always try to struggle their power (1989). It cannot be separated from the domination of one agent towards the others, and also the agent’s struggle to maintain their position. It can be between social groupings in institution (such as the legislatures and the administrative department of the state), and between the participants who are not related to any institution (such as the legislatures and the citizens). This research analyzes the power relation between the legislatures as an institution and the related institution who managing states’ budget (considering as the other institution), and also the citizen as the participants who are not related to any institution.

Then it has to be noticed that language is both a site of and stake in a class struggle, and those who exercise power linguistically through language must constantly be involved in struggle with others to defend (or lose) their position.
(Fairclough, 1989). In this case, the power struggle is exercised through sentences in the statute which is published in the states’ official website.

3. Stages of Analysis

There are three stages of analysis in Critical Discourse Analysis (Fairclough, 1989). They are Descriptive Analysis, Interpretation Analysis and Explanation Analysis. Those stages of analysis are directed from the different level of the discourse.

Description Analysis deals with the formal properties of the text, or generally known as the stage of identifying and ‘labeling’ formal features of a text in terms of categories in descriptive framework (Fairclough, 1989). This analysis can be directed through answering Fairclough’s ten questions. Those questions are shown as follows:

**Vocabulary**

1. What experiential values do words have?
   - What classification schemes are drawn upon?
   - Are there words which are ideologically contested?
   - Is there rewording or overwording?
   - What Ideologically significant meaning relations (synonymy, hyponymy, antonymy) are there between words?

2. What relational values do words have
   - Are there euphemistic expressions?
   - Are there markedly formal or informal words?

3. What expressive values do words have
4. What metaphors are used?

**Grammar**

5. What experiential values do grammatical features have?
   - What types of process and participant predominate?
   - Is agency clear or unclear?
   - Are processes what they seem?
   - Are nominalizations used?
   - Are sentences active or passive?
   - Are sentences positive or negative?

6. What relational values do grammatical features have?
   - What modes (declarative, imperative, grammatical question) are used?
   - Are there important feature of relational modality?
   - Are the pronouns *we* and *you* used, and if so, how?

7. What expressive values do grammatical features have?
   - What are the important features of expressive modality?

8. How are (simple) sentences linked together?
   - What logical connectors are used?
   - Are complex sentences characterized by coordination or/ subordination?
   - What means are used for referring inside and outside text?

**Textual Structure**

9. What interactional conventions are used?
   - Are there ways in which one participant controls the turns of others?

10. What larger-scale structures does the text have?
    
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The Interpretation analysis explores the interaction between the text and the interaction. It concerns on the relationship between the text and the interaction of the participants (Fairclough, 1989). In this stage of analysis, the text is seen as the product of a process of interaction, and as a source of interpretation. In this case, this stage consists of analysis of situational context of the text, including the analysis of what is going on, the topic, who is involved, and in what relation are they.

The analysis of what’s going on? Refers to the analysis of the use of language in the happenings of the text, it is combined with the matrix and also the topic of the text. The analysis of who’s involved explains the subject position in an interaction. It can be said as multi dimensional subject position since there are three kinds of subject position. The first one derives from the type of subject activities. The second one is from social identities institution, and the third one from situation role in speaking and hearing process. The analysis of in what relations are they refer to the analysis of the relationship of power, social distance, and so forth are set up and enacted in institution.

Fairclough (1989) explains the explanation analysis explores the relationship between the text and the social context. This stage mainly analyzes the relationship between the interaction, and social structures which shape and are shaped by the certain events (Fairclough, 1989). In this case, this stage consists of institutional analysis which then explains the social structures which shape and are shaped in the statute.
Fairclough (1989) mentions several language studies to analyze a discourse. They are Linguistics, Sociolinguistics, and Pragmatics.

a. **Linguistics**

Linguistics here refers to “linguistic proper” or the research of grammar in a broad sense, like phonology, morphology, syntax and semantic. The term linguistic used in this approach refers to the language used by the citizen practically and a static system at given point in time not dynamically it changes through time (Saussure in Fairclough, 1989).

In the other words, the first meaning of linguistics is the language used in a community (social practice) while the second one is the research of language theoretically. Therefore, the linguistics used in CDA proposed by Fairclough is the language used in social Practice.

b. **Sociolinguistics**

Hudson in Wardaugh (2006) stated that sociolinguistics is the research of language in the relation to the society. In this research, the sociolinguistics is used to take facts at face value, and is connected to the treatment of social class (Fairclough, 1986). The power does exist because of the unequal position of the communicant. This unequal position can be analyzed through the sociolinguistics.
**c. Pragmatics**

Pragmatics learns a meaning behind the sentences produced by the utterance. It does not see the meaning of an utterance textually, but in a context. In finding a power relation of a text, the actual meaning of an utterance should be found, so that the intention of a speaker can be known and can be analyzed to get the power relation.

**4. Linguistic Evidence**

It has been explained in the previous subchapter that statute is a legal discourse made by legislatures to rule something. In this case, statute is used to rule the legislatures’ compensation. Therefore, statute is not only used to rule, but also pursue the citizens to agree with the legislatures, so that the demonstration and protest can be avoided. In the other hand, the legislatures need another institution to manage their compensation. Therefore, this statute is also a structurally systematized text which shows the way to manage the compensation. In this research, several linguistic evidence in terms of persuading, ensuring, and commanding are employed. They are;

1. Relational values of grammatical features. It deals with three linguistic features; modal, mode, and the use of pronoun.
   a. Modal. There are two kinds of modalities; Expressive modality, and relational modality. Expressive modality refers to the writer’s authority with the respect to the truth or probability of a representation of a reality. Meanwhile, relational modality refers to the authority of one participant, towards the relation of
others (Fairclough, 1989). Both modalities can be used to show someone’s power. Expressive modalities can be used to define something, while relational modality can be used to command, and limit the ability of the interlocutor.

b. Modes. There are three kinds of mode; Imperative, Declarative, and Grammatical question. Imperative is a mode of demanding for action, declarative is a mode of giving information, while grammatical question is a mode of request for information (Fairclough, 1989). Even though those modes have a certain function, Fairclough have found a duality of modes as follows; 1). Declarative may have a value of request for information 2). A grammatical question may have a value of demand for action 3). Imperative can be a suggestion (1989: 126)

c. The use of pronoun we and you. The use of pronoun we and you deals with the writer’s solidarity. Pronoun we is classified into two class; inclusive and exclusive. Inclusive we shows the writers solidarity which involves the reader. meanwhile, the exclusive we shows the writers solidarity with another writers of the text. Meanwhile, the pronoun you is used to appoint the unknown reader or hearer (Fairclough, 1989). Shortly, Pronoun we shows more solidarity than pronoun you.
2. Experiential values of grammatical features. It deals with the grammatical forms of a language code happenings or relationships, and the participants involved in it (Fairclough 1989). It involves several linguistic features: Process, nominalization, and active/passive.

a. Identifying Relational Process. Identifying relational process is a process which gives a value to something. It can shows equality, signification, representation, indication, and role. There are two participants of this process; the identified, and the one who identify. The identified participant is the token, while the one who identifies called as values (Santosa, 2003).

b. Nominalization. It deals with the change of verb into noun. It is used to compresses 2 processes into one process. Consequently, the agency is blurred (Fairclough, 1989).

c. Active or Passive. Similar to nominalization, this features can blur the agency, but there is not any process which is compressed. The change of active form into passive may blur the causality and agency of a clause. It can be used to avoid redundancy, or obfuscation of agency and causality (Fairclough, 1989).

3. Relational values of words. It deals with the choice of words depends on, and helps to create social relationship between participants (Fairclough, 1989). It deals with two linguistic features; euphemism, and formality of words. Fairclough stated that euphemism is a

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substituted word used to be more conventional or familiar as away to avoid negative values, while the choice of formality is the diction related to the politeness, concern on participants’ face (1989; 117-118).

4. Expressive values of words. It can be said that this feature deals with social identity and ideology. It can be a central concern for those who want to deal with persuasive language, since it highlights the ideology of the writer (Fairclough, 1989). In this case, the expressive values of words can be related to transparency expression, since it belongs to financial law, and has a persuasive communication purpose.

  *Transparency is a principle that allows those affected by administrative decisions, business transactions, or charitable work to know not only the basic facts and figures but also the mechanism and process, and it belongs to the duty of the civil servants, managers, and trustees to act visibly, predictably, and understandably (The international NGO Transparency International in Callamard, 2010)*

From the explanation above, transparency is an act done by the civil servants, managers, and trustees to expose the facts, figures, and also the process of any administrative decisions, including financial, and charitable business.
B. Statute

Legislature (Congress) is made from Senate and House of Representative. They have a right to make all laws, introduce the legislation, and decide whether they support or against the laws (statutes) made by another member or congress. For conclusion, it can be said that statute is a governmental law, made by legislator (Congress member), which has been agreed by the both houses. Even though it is written by the legislative institution, the idea of a statute must come from the citizen of the state (www.acr.org).

Statute is constructed through several steps. First, a representative of the legislatures proposes a bill of which idea is from the citizen. Then it is introduced to committee to be learnt. If the committee releases the bill, it was put on a calendar to be voted, argued, debated, or amended. In occasion that the bill is agreed by at least 50%+1, it is sent to the senate. In the senate, the bill is assigned again and sent to another committee, if it is released, the bill will be voted, and debated. The bill will be preceded if there is a simple majority or 50%+1. Afterwards, the conference committee consists of the house and senate discusses the bill. The result of the bill is then returned to the house and senate for the final approval. It is then sent to the president, and the president has 10 days to sign or veto the bill (http://www.house.gov).

This research observes 5 statutes of states in Northern America. These states are New York, Wyoming, Montana, Delaware, and North Dakota. Terminologically, statute is a written law passed by a legislative body, or a rule of
an organization or institution, or a law or decree made by a sovereign (Oxford Online Dictionary). It can be a law that has been formally approved and written down (Cambridge online dictionary). Legally, Statue of United States of America is a major instrument for the US government and also the highest law in United States of America (Robert, 2000)

It means that a statute is a legal discourse made by the legislature to rule something in a certain region, in a scope of governmental matters. This research employs the statute of New York, Wyoming, Montana, Delaware and North Dakota of which belong to north America, to get the genre, ideology, power relation, and power struggle contained in their statute which explains the legislatures compensation.

C. Legislative Branch

There are two kinds of democratic legislatures; Unicameral and Bicameral. Unicameral is a legislature which consists only one house or single house, while bicameral consists of two houses (Lipsitz and Speak, 1989). Due to the article I of the constitution, America belongs to bicameral legislatures. Its Legislative branch consists of two departments; House of representative and the Senate, both of them build an institution called congress. The Congress has several authorities, one of them are to enact legislation, or simply, to make a law (www.whitehouse.gov).

There is also a legislative council of which duty is to oversees and conduct the studies of mainly the legislatures’ budget, as what has been employed by North Dakota Legislatures (www.legis.nd.gov)
D. America

America consists of 50 states which have different characters for each others. It is a country of pluralism. It means that the society of this country does not only the native people but also from a lot of races around the world. That is the reason why America is well known for the “Salad Bowl” and “Pizza” (Rader, 2001).

America as salad bowl means that it consists of various vegetables but they still maintain their own taste, in this case the vegetables are assumed as the race of people in the world. In short, America consists of various races but each race still maintains their own characteristic.

America as Pizza means that the vegetables and other toppings on pizza are various and blend into one structure and taste. The vegetables and toppings are assumed as the society in America, even though they are various, but they stand altogether under an identity as America.

This research explores the statute of five North America state. Those states are Delaware, New York, North Dakota, Wyoming, and Montana. All of those states are located in North America. It was known for the place of Puritan. Therefore, the values of puritan can be found there, but as the time goes by, they are now known as plural society. Here are several explanations of those states nowadays
1. Delaware

Delaware is the first colony that was established in 1682. Its industrial matters are concerned in the coastal area. Not only the industrial matters, the center of population and the capital itself but Dover also located in coastal area (www.history.com). It can be said that Delaware is coastal state that is located in the western border of America that is directly face the Atlantic Ocean.

As it is the first colony made in America, it is possibly to take an important role in America Government. As America was a Britain expansion region, the first government that took this place was British Monarchy government. It was a proprietary colony. It means that this state was granted to one proprietor to manage it (landofthebrave.info). It means that the proprietors got an authority to manage everything related to this state including the governmental matters, the industrial matters, etc. even the proprietor was still under British Monarchy. In the other words, Delaware was an Autonomous Region.

2. Montana

Montana is the 41st state and is settled in 1889. This 44th most populous state is located in northern east America. The people of Montana were cultivating the land well, as they usually use the land for cattle ranching, farming, and mining (enchantedlearning.com). The land was very prosperous. That was the reason why the state of which name is means mountainous (Spanish) has a motto Oro y Plata. It means Gold and silver (Spanish).
3. New York

New York (commonly abbreviated by NY) was established in 1788. This 11th state of America is the third most populous states in America. (enchantedlearning.com). This state is the former of the first 13th colonies formed by the new comers of America. NY has a lot of major industries, from various fields of industry. They are finance, communication, international trade, publishing, farming, and some entertaining industries such as fashion and tourism.

In conclusion, NY is a modern state. It can be seen from its major industries which mostly work on the economic and entertaining industries. NY is a famous state as it is often used as the background state of a movie. This state is also famous because there is a freedom mascot of America, Liberty Statue, located in this state.

4. North Dakota

North Dakota is the 39th state in America. The state that was settled in 1889 was the region of Sioux tribe (enchantedlearning.com). After Louisiana Purchase, it became an America territory. In 1861, North Dakota and South Dakota were organized to become Dakota region and were separated from Minnesota and Nebraska. It officially became a state of North Dakota in 1889 (history.com).

North Dakota is a prosperous land. It can be seen from its main industry such as cattle, mining, farming, etc. From those industries, we can see that North Dakota people conserve the land well.
5. Wyoming

Wyoming is the 44th state in America. It was established in 1890. The state that is the 10th biggest state in America also has a lot of natural resources as its industrial majorities are farm, mine, cattle, natural gas, oil, and tourism (enchantedlearning.com). In the other ways, Wyoming people live by conserve the land well.

Its motto “Equal Right” shows that this State takes equality of their state as their prior. Its equality is shown from the history that it is the first state which let the woman to vote (history.com). The name “Wyoming” derived from Delaware Indian “Maughwauwama” (enchantedlearning.com).

E. Puritan

The history of North America cannot be separated from the existence of Puritan. They are the English pilgrims who reached the land of America in early 17th century. They were known as the puritan due to their objective, to purify and spread Christianity. In its dynamic, they settled North America and fought against South America due to the different perspective about slavery.

There are several tenets of Puritans, which are also used as their ideology.

1. Godly people were sober, hardworking, and responsible. English society had been corrupted by foreign influences and by disorder and needed to be purified.
2. Catholicism had undermined the relationship between God and the individual

3. Election & predestination – God chooses who is saved and who is damned. No one can earn salvation through works. Yet the saints are responsible for their actions.

4. The congregation of saints chooses its members, hires and fires its ministers, and recognizes no other religious authority.

5. Worship should be plain, lack mystery, and be focused on God. No stained glass, instrumental music, or art.

6. Much value of education

7. Intolerance – error must be opposed and driven out (Feldmeth, G. D. in Kang, 2009)

**E. Review Of Previous Study**

Once more, CDA is a research that analyzes the ideology, and power of participants in a discourse. It analyzes the interaction between the participants in a discourse, whether it is a one-way communications or two-way communication.

The study was conducted by Cheng from the University of Hong Kong entitled “The Power of Persuasion: Modality and issue framing in the 2012 Taiwan Presidential Debates” as a reference of this research. This study adopts Critical Discourse Analysis by Van Dijk to explore the persuasion in the 2012 Taiwan Presidential Debates. The analysis is mainly conducted through the use of modal verbs, adverbs, and adjectives as linguistic and ideological tool to show the politician’s authority or obligation, and other campaign strategies. This study is
used for the referential study due to similarities of both researches. Firstly, both research study the text of which communication purpose is similar. The Presidential debates which is used by Cheng and the statute employed in this research has a similar communication; to pursue the citizen to agree with the speaker or writer. Secondly, both researches employ a Critical Discourse Analysis approach which observes the text as social practice and uses language as its main data.

Nevertheless, there are several differences between both researches. First, the fields of communication in both researches are different. Cheng used the 2012 Presidential Debates as her subject, while this research uses statute as its subject. Cheng used Critical Discourse Analysis Approach proposed by Van Dijk who focuses on socio-cognitive approach, meanwhile this research uses Critical Discourse Analysis proposed by Fairclough who focuses on the power relation among the participants.

This research also employs two others CDA research conducted by Puspitasari (2014) and Umiyatun (2015). Puspitasari conducts a research of power relation in a movie entitled “Freedom Writers”, while Umiyatun conducts a research of power relation in persuading strategies in Barrack Obama’s weekly addresses in 20120. Those researches are chosen due to some the similarities to this research.

Puspitasari discusses the power relation between the teacher and children in integrated classroom. The teacher, as an information provider, naturally earns a
bigger power than the teacher, but she still has to struggle their power towards the students. There are several linguistic features involved in this communication employed as her struggle of power with the multiracial and multicultural group of society. The major features employed by the teacher as an information provider are the formal expression and commanding expression. The multiracial and multicultural students in that class can be seen as the representation the multiracial and multicultural society in America. It is similar to the one of the participant in the text; the society. Since this text is published to the legislatures’ official website, this text is pretended as a discourse of which participant is the citizens. In this case, one of the participants of this text is the citizens of America who are known as multiracial and multicultural citizens. Shortly, this research and Puspitasari’s research have a similarity that the interlocutor of both researches is multiracial and multicultural.

Umiyatun discusses persuading strategies used by Barrack Obama in his speech on weekly addressee 2012. This research employed recorded speech video, it means that this research uses one-way communication data, where feedback hardly, or even cannot be found in the text. In this case Obama, as an information provider, also earns more power than the citizens. In persuading the citizens, Obama employed several linguistic features such as rewording, rhetorical expression; promise, and relational process of clauses. There are several similarities between this research and Umiyatun’s, that both researches use one-way communication text as their data, and both of them have a similar communicative purpose of text; pursue the reader, but in different perspective.
Since Umiyatun’s research employs the text of which communication purpose is to pursue the citizens to vote Obama again in the next voting, this research has a communication purpose to pursue the citizen to agree with them, so that there is not any rejection or protest to the statute made by legislatures.

Shortly, the information provider in Puspitasari’s and Umiyatun’s research has a bigger power than the reader or hearer. In term of power struggling in multiracial and multi-cultural society, the teacher, as an information provider, uses command and formal expression. Meanwhile in persuading through one-way communication, Obama as information provider has more power and use rewording, relational process, and rhetorical expression; promise to get the citizens vote him.