

Analysis of Legal Registers in Civil Dispute

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ABSTRACT

There are often special terms which are not easily understood by everyone in a civil dispute that lawsuit is submitted to a district court. This research is interdisciplinary research conducted to contribute to law and linguistics. The data was from the lawsuit, answer, replicate, and duplicate discourse, as well as a verdict on the civil dispute in the District Court in Indonesia. The results of the legal register analysis' study on the discourse of civil dispute are; the register forms on the discourse of civil dispute are 30 registers, Language aspects that are utilized in civil dispute can be seen in the use of long sentences and the use of words derived from Dutch. The structure that is characteristic of civil dispute consists of the structure of lawsuit, answers, exceptions, replications, duplicates, and verdict.

Keywords: *Register; Dispute*

1. INTRODUCTION

The Asean Charter in Singapore implies Asean's transformation towards the 2015 ASEAN community and brings out the impact on various fields. Human resources are very important because according investment in human capital is the key to innovation, growth, and development.

Free trade cooperation among Asean countries will affect the language used in the contract agreement and it will also affect if there is a civil dispute. In legal products, language has a very important function considering that every legal product must be understood by everyone.

According [1] languages besides having interactional functions also have an instrumental, informative, personal, imaginative, heuristic, and regulatory functions. Among those five functions of language, the informative function is considered as the main function.

From a linguistic point of view, the typical language used in social groups; codes, terms, or special expressions are included in registers, for example, academic registers in childcare interactions [2]

The Symposium of the National Law Development Agency on language and law, has recorded a unified view on the meaning and position of various Indonesian legal languages. Some documents are the distinctive nature of the variety of legal languages laid on the specificity of terms, composition and language style. The variety of legal languages belongs to the entire community and is not solely the property of legal experts; therefore the variety of Indonesian legal languages in the laws and regulations and also in legal products must be easily understood by members of the community[3]. The study of civil disputes is needed by legal

practitioners or even public. In society, conflicts of interest often arise which lead to civil disputes.

According [4] the concept of registers is the use of special vocabulary related to the type of occupation and certain social groups. This concept is also used in peeling antagonist language registers[5]. [1]Distinguishes registers into two; restricted languages and languages for special purposes.

This register analysis refers to the opinion[6]. [6]Elaborates his analysis on situational register analysis, linguistic characteristics of registers analysis, and functional analysis and also analysis of conventional of a combination of linguistic and situational characteristics.

The main task of a court judge in the civil law is to receive, examine, and adjudicate every submitted case. In civil fields, civil cases can be qualified in two types of cases, lawsuit cases (contentiosa) and request case (voluntair). The court's authority settling cases among the dispute parties is called contentious (contentiosa) jurisdiction. Civil cases in the form of a claim (contentiosa) contain a dispute between two or more parties, the dispute resolution process in the court is carried out through a refutation process in the form of a lawsuit, answer, replication and duplication and conclusion[7].

The civil dispute resolution process is principally carried out through a refutation process between the plaintiff and the defendant, therefore the defendant is also given the same right to provide an objection (answer) to the plaintiff's claim. The plaintiff response letter, as well as the claim letter, must also be carefully, completely, clearly and perfectly prepared so that the response letter can be declared accepted by the judge. The response letter can be in the form of an exception, an answer concerning the subject matter of the case and/or reconciliation.

According[8] the contents of the response letter must at least contain the head letter, destination and address of the District Court examining the lawsuit case; the identity of the parties, both the identity of the defendant and the plaintiff; the based treason of the answer which denies the claim from the plaintiff; demands demanded by the defendant; and the signature of the defendant or his attorney.

2. METHOD

The research data are from the discourse of lawsuit, answer, replication and duplication, and the decision of the first-level judicial judge (District Court) on civil disputes in Indonesia. The data were collected from lawyers, Legal Aid Institutions, and District Courts.

3. RESULT AND DISCUSSION

The characteristics marking registers of civil disputes; the variety of languages used both in the lawsuit, answer, replication, duplication and judge's decision are the variety of written languages; the use formal variety; and the style of exposure is based on habits or conventions. On the other hand, specificity in civil registration disputes appears in legal terms whose meanings and interpretations can be seen in terms of legal views. It is as the example, the term default or broken promise (*wanprestasi*) means the obligations that should be carried out by a debtor (defendant) is not fulfilled. The term above is only used in the legal field.

Table 1. Register for Civil Dispute

No.	Register	Meaning
1.	penggugat	'a person who brings a case against another in a court of law'
2.	tergugat	'people suspected of violating the rights of the plaintiff (default act) '
3.	surat kuasa khusus	'a letter of the agreement granting power from litigation parties to an advocate to represent his legal interests outside the court or in court'
4.	Bertindak untuk dan atas nama	'represent the legal interests of the parties'
5.	primair	'principal'
6.	Subsindair	'substitute'
7.	Nota jawaban	'response letter'
8.	dalil-dalil	'reasons'
9.	konklusi jawaban	'the conclusion of the answers given'
10.	Replik	'answers from the plaintiff on the defendant's answer'
11.	Duplik	'the defendant's answer to the plaintiff's rejoinder'
12.	Konvensi	'lawsuit filed by the original plaintiff'
13.	Eksepsi	'answers in the form of resistance that are usually related to procedural law'
14.	Pokok perkara	'the core of the subject matter which is the party's dispute '
15.	rekonvensi	'the counterclaim filed by the defendant's convention against the plaintiffs of the convention'
16.	Memori banding	'an explanation of the appeal to the High Court '
17.	Kontra memori banding	'Answer to appeal memory '
18.	Roya	'the Elimination of the list of land rights at the National Land Agency'
19.	Obyek sengketa	'objects that become the main dispute between the plaintiff and the defendant'
20.	Tanggung renteng	'bear the risks that arise together or bear responsibility'
21.	Yurisprudensi	the previous judge's decision which was continuously followed by the judges as the legal basis in the decision '
22.	wanprestasi atau ingkar janji/cidera janji	'the obligations that is not fulfilled by a debtor (defendant)'

The text in civil disputes is very distinctive with the complexity of the sentence used. The tendency to use long sentences and one paragraph is actually reflected in only one very long sentence. In its writing, the sentence in the civil dispute uses punctuation and conjunctions functioning to separate various kinds of things as stated in the articles. Writing a lawsuit and the responses uses long sentences in order that there are no multiple interpretations and clarify the point more.

A prominent feature in register civil disputes is the use of words originally from the Dutch. This happens because Indonesian law follows the European Continental pattern which also applies in the Netherlands.

The pattern of discourse is essentially a discourse structure that is tied to the function of language or the use of language as a means of communication. To understand the ideas in discourse requires an understanding of the discourse's structure on civil disputes that becomes the mean and context in the discourse. The discourse of civil disputes consists of a lawsuit, an answer, an exception, a replication, a duplicate, and a decision.

The discourse structure of the district court decision contains the title of the decision, the number of the decision, the Chief of Decision with *irah-irah* (verse) 'Demi keadilan berdasarkan Ketuhanan yang Maha Esa (or the sake of justice based on the One God)', the identity of the parties (plaintiff and defendant), considerations, both legal and fact considerations, decision, and signature of the judge.

4. CONCLUSION

The encryption and decryption time of the RSA algorithm is better than the ElGamal algorithm. Ciphertext RSA has fewer numbers than ElGamal algorithm. The ElGamal algorithm has a ciphertext pair. Each encrypted plaintext will generate two ciphertext values. RSA algorithm and ElGamal algorithm are asymmetric algorithms which have different formulas for encryption and decryption. RSA algorithm is faster than ElGamal algorithm. Regarding security, the ElGamal algorithm will be more challenging to solve than the RSA algorithm because ElGamal has a complicated calculation to solve discrete logarithms.

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