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DIVORCE CLAIM TEXT AT RELIGIOUS COURT OF PRAYA: SYSTEMIC FUNCTIONAL LINGUISTIC STUDY

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Abstract: This research reports description of modality system and its relevance toward discourse learning at higher education. The approach used in this research was qualitative descriptive with the orientation of Systemic Functional Linguistics (SFL) theory. The data collection method was documentation and note-taking technique. The data analysis was done by using identification technique. The result of data analysis was presented by using description of phrases and clauses. The finding of the research showed that the system of modality in Divorce Claim text consists of the clauses that are organized as modalization (probability and frequency) 18 (15.51%) and modulation (necessity and tendency) 16 (13.80%) as an effort to strengthen the idea, view, and opinion to convince the judge in deciding a case that would be decided related to the content of the claim that had been submitted.

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INTRODUCTION

Through various form of social phenomena, language is understood as instrument used to convey intention, feeling, and thought. One of existential form of language use can be found in a lawsuit of divorce. Lawsuit of divorce is a written claim by a plaintiff to the chairman of Religious Courts. It is one of written form of legal terminology use to propose for divorce. The text of divorce lawsuit, as an instrument to propose claim or lawsuit, should written down by using language as media of conveying and interpreting meaning.

Such a phenomenon of language use in a divorce lawsuit is observable and researchable through the perspective of Systemic Functional Linguistic (SFL) to investigate such kind of text of divorce claim on the condition of language

use in relation to meta-function of language, which covers elaboration, exchanging, construction or organization of experiences. This belongs to observable logical issue on the claim of divorce delivered orally. In other words, it involves the function of elaboration of the message transcribed in the form of clause. In the clause, process, participant, circumstance at extent of transitivity aspect can be found. In the perspective of SFL there is modality system narrated based on the type, value, scope, and orientation belonging to relator for event intensity within text where meaning realization of a text is divided based on the intensity level of certainty comprising high, average, and below average. It is important to be understood on the view of SFL because one of SFL approach study is inseparable social phenomena to the

context (ideology, culture, and situation). All of this is involved in the clause of divorce claim text.

Therefore, investigation on the divorce claim at Religious Court of Praya is relevant to be carried out with the orientation of SFL perspective by proposing research conduction entitled "Divorce Lawsuit Text at Religious Court of Praya: A Systemic Functional Linguistic". This investigation is also aimed at describing the finding relevance to discourse learning at higher education. Therefore, it is expected that the investigation can result in deep understanding on discourse based on existed-approaches of discourse analysis. Based on the elaboration, the research problem in this investigation is "How is modality system in the text of divorce lawsuit at Religious Court of Praya: A study of Systemic Functional Linguistic?" and "How is the research finding relevance to discourse learning at higher education?" The objective of this investigation is to identify modality system in the text of divorce lawsuit through text meaning realization at certainty intensity level of high, average, and below average and to describe the relevance of the finding to discourse learning at higher education.

There are some literature reviews that are considered to have relation to this investigation, such as 1) "Discourse of Leadership: An Analysis of Phase and Modality in the Speech Text of President Susilo Bambang Yudhoyono on Systemic Functional Linguistic Perspective" (Halimatussakdiah, 2010). The finding of this previous study showed that total phase is 162 (39.51%) and sub-phase is 373 (90.97%). Furthermore, the result of modality analysis covering modality and modulation, showed that the total number of modality is 282 (68.78%) including 172 (42.89%) and modulation is 110 (27.43%) so that phase as an organizational order is supportive for the president speech. 2) "Discourse Analysis on Printed Media based on Systemic Functional Linguistic Perspective and Semiotic Representation" (Gustianingsih, 2006). In her investigation, Gustianingsih focused on exploration of text on SFL and semiotic theory. The analysis is carried on discourse of newspaper in printed media of Kompas headlined "Presiden Pertimbangkan Saran Kenaikan Gaji PNS" 'President Considered Input of Civil Servant Salary Increasing'. The analysis of news discourse focused on clauses and discourse of Kompas Newspaper consists of 42 clauses, whereas discourse of analytical news consists of 29 clauses. 3) "Modality in Minangkabau Language" (Nilzami, 2009). In this investigation, found that in Minangkabau language there is

interrelated modality utterance to modality sub-categories, such as intentional, epistemic, deontic, and dynamic. The find showed the scope of terminology for language users that enables the speakers themselves to express different level of commitment or certainty toward certain proposition they utter. Thus, the previous literature reviews have relation to the recent investigation as this recent investigation is focused on the analysis of Divorce Lawsuit text at Religious Court of Praya according to Systemic Functional Linguistic and its relevance to discourse learning at senior high school.

Some technical concepts oriented in this investigation is 1) Text, with the use of written and oral language source of unlimited size. The meaning of text in this investigation is considered to be all of meaningful written lingual units as well as grammatical unit in the form of word, phrase, and clause, 2) Lawsuit means claim, changeability, accusation, complaint or demand. In procedure of civil law, the word lawsuit is used for procedure of civil law. Lawsuit in this research refers to clauses containing process, participant, and circumstance which are re-narrated in written form. 3) Functional refers function with objectives owned in language as means of communication, in which language is used based on the need and function.

The distinguishing study aspect of SFL from other categorical scopes of linguistic study is substantial content in the concept that it concentrates on the study of language as system of meaning and system of other elements, such as the form and expression based on two foundational concepts, namely 1) language is social phenomena of social semiotic form, and 2) language is construal text (mutually denoting and referring) to social context (Halliday, 1994). SFL is grammatical concept that investigates language as a social phenomenon of social semiotic form and language is also a form of construal text (mutually denoting and referring) to social context related to how language itself is used. Project of realizing nonlinguistic experience into linguistic experience provides space for investigation conduction toward discursial text which is then realized into linguistic experience through modality system.

Modality is a perspective, consideration, or personal view of language user on the meaning experience elaboration into clause conveyed through interactional activity Halliday in Saragih (2006: 72). Human linguistic experience elaboration through interaction is conveyed in the form of clause involving process, participant, and circumstance. There is also modality area whose scope is the meaning

realized between positive polar action and negative polar action. The scope of meaning, in detail, can include consideration, perspective, attitude, or personal opinion of language user in relation to information, and exchanged goods and services. In other words, in the process of information exchange, modality is a form of personal decision of language user that lies between positive polar and negative polar. Generally, modality is realized by the words, such as *will, have to, often, shall, wish, and must*.

The relevance of the investigation to discourse learning at higher education shows on development and comprehension of learning concept in relation to text exploration. Discourse analysis, in SFL approach, is distinguishing from discourse analysis on general concept as well as discourse taught in the higher education. Analyzing discourse is not only emphasized on one of linguistic aspect, such as the truth based on basic structure, syntactic, and semantic aspect, but is also connected to context. Context, an ideology, culture, and situation, on SFL view is realized through text. Implementation of SFL theory on discourse learning in higher education indicates the concept of SFL in textual learning, which covers three functions of language, such as elaborating, exchanging, and constructing or organizing experience.

METHODOLOGY

Relevant approach to the existed study is qualitative descriptive approach. Data collection method used was document which covers the collection of script of legal divorce claim texts. Data collection technique used was exploratory technique and reading technique with the purpose of studying the data radically and holistically. The analysis on divorce claim text was carried out with the orientation of SFL

study and the data was broken down and made sense through descriptive method. Therefore, though the utilization of exploratory and note-taking technique, the data was analyzed by condensing, and describing to provide space for accurate and logical conclusion drawing. Qualitative descriptive used in the analysis of data of the research was done to identify classification of modality system form representing the lawsuit of divorce in the divorce claim text. Data display was done with the orientation of two methods, such as formal and informal method. The data display with formal methods was adjusted to language rules and structures, which includes pictures, tables, diagrams or figures, and words. The data display with informal method was adjusted in the form of simple words, phrases and clauses that provides comprehensible references. The result of data analysis was presented using qualitative descriptive by exploring clause carefully to analyze based on social context and situation of the divorce claim and its relevance to discourse learning at higher education level. In addition, the text of the divorce claim was analyzed with the orientation of SFL theory to identify realized modality system. Hence, frequency of the appearance of each type of modality system was also counted to provide detail information. The last activity was verification and conclusion drawing.

DISCUSSION

Modality System in the Divorce Claim Text at Religious Court of Praya

Clauses in the following text of divorce claim are indicated by modality (probability and frequency) and modality of modulation (obligation dan trend) with grade level (high, average, and below average). It is illustrated in following

Modality	Positive Polar
	Probability
High	<p>[36] <i>bahwa penggugat dengan tergugat telah syah menikah yang dilaksanakan pada tanggal 20 oktober 2003</i> The plaintiff and litigant had legally got married each other on October 20, 2003</p> <p>[39] <i>bahwa dalam pernikahan penggugat dengan tergugat telah dikaruniai satu orang anak</i> In the marriage of plaintiff and litigant was born a child</p> <p>[1] <i>bahwa penggugat dengan tergugat telah syah menikah</i> The plaintiff and litigant had legally got married each other</p> <p>[7] <i>bahwa dalam pernikahan penggugat dengan tergugat telah dikaruniai 2 orang anak bernama Muhamad Raga Permana</i> In their marriage plaintiff and litigant have had two children, Muhamad Raga Permana</p>

	[21] <i>bahwa selama penggugat dengan tergugat berumah tangga telah memperoleh harta benda</i> In their marriage, plaintiff and litigant had got treasure
	[67] <i>bahwa pernikahan penggugat dengan tergugat tersebut telah dilaksanakan menurut syari'at Islam</i> Plaintiff and litigant marriage was done according to Islamic syari'at
	[73] <i>bahwa dalam pernikahan penggugat dengan tergugat telah dikaruniai 2 (dua anak)</i> In their marriage plaintiff and litigant have had two children
	[81] <i>menyatakan syah perkawinan penggugat dengan tergugat yang telah dilaksanakan pada tanggal 21 Desember 1999</i> Claim legal marriage of plaintiff and litigant that was done on December 21, 1999
	[83] <i>bahwa penggugat dan tergugat telah melangsungkan pernikahan menurut Agama Islam</i> plaintiff and litigant had been married according to Muslim rule
	[88] <i>kurang lebih satu bulan kemudian pindah lagi ke tempat tinggal di Janapria sampai saat ini dan telah dikaruniai tiga orang anak laki-laki</i> Around one month later plaintiff and litigant moved back to Japanria until now and got three sons.
	[101] <i>karena penggugat telah berusaha berkali-kali sejak awal kemelut ini terjadi dan terakhir tahun 2014</i> plaintiff had tried in the beginning of the critical stage happened and lasted in 2014
	[104] <i>bahwa selama membina rumah tangga antara penggugat dan tergugat sebagai suami istri maka telah dapat memperoleh harta bersama</i> During the their marriage plaintiff and litigant had got wealth
	[109] <i>menyatakan syah perkawinan antara penggugat dan tergugat yang telah dilaksanakan di Dusun Lading Desa Tanjung</i> Stated that marriage between plaintiff and litigant had been done legally in Lading Desa Tanjung village
Middle	[3] <i>bahwa setelah akan nikah penggugat dengan tergugat tinggal bersama dan bergaul sebagaimana layaknya suami istri (ba'da dukhul) di rumah tergugat</i> After getting married plaintiff and litigant lived together and getting along with each other as a couple of spouse
	[68] <i>akan tetapi pernikahan tersebut tidak dilaksanakan di hadapan Pegawai Pencatatan Nikah setempat</i> But the marriage was not done on legal registration witness
	[19] <i>merasa tidak mungkin untuk mempertahankan rumah tangga bersama tergugat</i> Feels impossible to maintain a household with litigant
Low	[90] <i>rumah tangga mulai retak sedikit demi sedikit bahkan nyaris pecah berantakan bulan April 2014</i> Their household gradually grew disordered and almost got broken in April 2014
Negative Polar	

Table 4 2: Example Clause of Modality-Frequency

Modalitas	Positive Polar
	Frequency
High	[11] <i>antara penggugat dengan tergugat terjadi pertengkaran terus menerus</i> Between plaintiff and litigant quarreling occurred continually
	[42] <i>bahwa sejak dua tahun pernikahan antara penggugat dengan tergugat sering terjadi cekcok</i> Since two years having got married clash often happened between plaintiff and litigant
	[74] <i>bahwa tergugat mengalami kelainan jiwa sampai-sampai tergugat sering memukul penggugat apabila penggugat tidak memberikan uang untuk membeli rokok</i> There was strange thing happen to litigant that he often hit on plaintiff whenever she did not give money for cigarettes.
	[93] <i>bahwa penggugat sering pulang jauh malam</i> plaintiff often got home late in the evening

	[94] <i>bahkan sekitar bulan April 2014 penggugat dituduh berbuat macam-macam bahkan sering terjadi pemukulan dan mengeluarkan kata-kata kotor</i> Around April 2014 the plaintiff accused often misbehaved and even hit and cursed
	[95] <i>penggugat sering mengurung diri di dalam rumah untuk menghindari hal-hal yang tidak diinginkan oleh tergugat</i> Plaintiff often bracket himself into house to avoid doing things hated by litigant
Middle	---
Low	[43] <i>perselisihan disebabkan masalah ekonomi dimana tergugat tidak pernah memberikan nafkah untuk kebutuhan rumah tangga</i> Conflict resulted from economical factor cause the litigant never provided necessary for the family
	[77] <i>bahwa selama penggugat berada di rumah orang tua penggugat tidak pernah datang ataupun memberikan uang kepada penggugat</i> During the stay of plaintiff at home his parents never came to give him money
Negative Polar	

Modality of probability in the absolute form of high grade of a percentage 14 (12.06%), modality of probability of middle grade is 3 (2.59%), modality of probability of low grade is 1 (0.86%). Furthermore, modality of frequency of high grade is at the percentage of 6 (5.17%), modality of frequency of low grade is 2

(1.72%). These facts are used as guidance to strengthen ideas, opinions, and views in relation to the content of divorce claim.

Modulation

Table 4.3: Example of Modality-Modulation-Obligation

Modality	Positive Polar
	Modulation
High	[31] <i>menyatakan harta benda sebagaimana posita adalah harta bersama penggugat dengan tergugat yang harus dibagi dua</i> Stating wealth as well as <i>posita</i> belonged to her with the plaintiff.
Middle	[54]] <i>penggugat mohon supaya hak asuh anak bernama Naila Rizkiya Ansyori diberikan kepada penggugat</i> Plaintiff proposed for the child custody on Naila Rizkiya Ansyori is given to her. [55] <i>penggugat mohon agar ketua Pengadilan Agama Praya yang memeriksa dan mengadili perkara ini berkenan menjatuhkan putusan</i> The plaintiff demanded that the chairperson of Religious court of Praya deciding investigation and judging on this case. [27] <i>bahwa atas dasar alasan-alasan tersebut di atas penggugat mohon agar ketua pengadilan Agama Majelis Hakim yang memeriksa dan mengadili perkara ini berkenaan menjatuhkan putusan</i> Regarding on the evidence plaintiff demanded that the chairperson of religious court council deciding investigation and judging on this case.
Low	[65] <i>antara penggugat dengan tergugat tidak ada hubungan keluarga sesusuan atau semenda yang dapat menghalangi sahnya pernikahan</i> There is an intimate family relationship between plaintiff and litigant that can legally forbidden the marriage [96] <i>bahwa berdasarkan kejadian tersebut rumah tangga penggugat dan tergugat sudah retak dan tidak dapat dibina dengan baik</i> Building on the fact plaintiff family was in chaotic could not be well-nurtured [104] <i>bahwa selama membina rumah tangga antara penggugat dan tergugat sebagai suami istri maka telah dapat memperoleh harta bersama</i> During living together in their household plaintiff and litigant, as a couple of
	Negative Polar

Table 4.4: Example Clause of Modality-Modulation-Trend

Modality	Positive Polar
	Modulation
High	<p>[96] <i>bahwa berdasarkan kejadian tersebut rumah tangga penggugat dan tergugat sudah retak dan tidak dapat dibina dengan baik</i> Building on the fact plaintiff family was in chaotic could not be well-nurtured</p> <p>[97] <i>tujuan perkawinan untuk membentuk rumah tangga yang sakinah, mawaddah, warahmah sudah sulit untuk dipertahankan lagi</i> Tranquility, love and mercy family as the objective of marriage was not able to be created</p>
Middle	<p>[9] <i>sejak Januari 2013 rumah tangga penggugat dengan tergugat mulai goyah</i> Since January 2013 quarreling started in the family of plaintiff</p> <p>[90] <i>rumah tangga mulai retak sedikit demi sedikit bahkan nyaris pecah berantakan bulan April 2014</i> Gradually the family of plaintiff began to be in chaotic in 2014</p> <p>[91] <i>hingga membuat kehidupan penggugat mulai menjadi tidak tenang lagi bersama tergugat</i> The fact had made the live of plaintiff with the litigant began to get unsteady</p> <p>[53] <i>oleh karenanya penggugat berketetapan hati untuk bercerai dengan tergugat</i> Therefore the plaintiff determined to get divorced with the litigant</p>
Low	<p>[20] <i>oleh karenanya penggugat berketetapan hati untuk mohon itsbat cerai thalak tiga dengan tergugat</i> So that the plaintiff determined to demand get divorced on marriage certificate from the litigant</p> <p>[25] <i>oleh sebab itu penggugat mohon kepada bapak ketua Pengadilan Agama Praya</i> Therefore, plaintiff demanded the chairperson of religious court</p> <p>[27] <i>bahwa atas dasar alasan-alasan tersebut di atas penggugat mohon agar ketua pengadilan Agama Majelis Hakim yang memeriksa dan mengadili perkara ini berkenaan menjatuhkan putusan</i> Regarding on the evidence plaintiff demanded that the chairperson of religious court council deciding investigation and judging on this case.</p> <p>[33] <i>nilai harta bersama tersebut apabila tidak dibagi secara natural mohon untuk dijual</i> The treasure is not divided naturally but please to be sold for auction</p> <p>[54] <i>penggugat mohon supaya hak asuh anak bernama Naila Rizkiya Ansyori diberikan kepada penggugat</i> Plaintiff demanded that child custody on Naila Rizkiya Ansyori is given to her.</p> <p>[55] <i>penggugat mohon agar ketua Pengadilan Agama Praya yang memeriksa dan mengadili perkara ini berkenaan menjatuhkan putusan</i> Plaintiff demanded that the chairperson of religious court council deciding investigation and judging on this case.</p> <p>[70] <i>dalam rangka penyelesaian perceraian penggugat mohon agar pernikahan penggugat dengan tergugat diltsbatkan</i> In case of settlement of the case plaintiff that marriage status with litigant is determined in the divorce</p> <p>[103] <i>tergugat tidak bisa merubah diri oleh sebab itu penggugat berketetapan hati mengajukan cerai ke Pengadilan Agama Praya mohon untuk diceraikan dengan talaq 1 (bai'n sugra')</i> Litigant could not change the bad deeds so the plaintiff proposed divorce claim to the court to get divorced based on talaq 1 (bai'n sugra')</p> <p>[107] <i>oleh karena itu penggugat mohon kepada majelis hakim meletakkan status sita jaminan</i> Therefore plaintiff demanded court council to give security seizure</p>
	Negative Polar

Clause of modulation (trend and obligation) with high, middle, and low grade shows expressive statement as an effort to convince the judge in reaching decision on a certain case. Modulation of obligation of high grade is 1 (0.86%); modulation of obligation of middle grade is 3 (2.59%); modulation of obligation of low grade is 3 (2.59%). Furthermore, modulation of trend of high grade is 2 (1.72%); modulation of trend of middle grade is 5 (4.31%); and modulation of trend of low grade is 9 (7.76%).

Based on the result of modality system analysis, the value of intensity or type of modality used is almost the same. The type of modality of modalization is 26 and modality of modulation is 23. The most dominant realization in the divorce claim text is *telah* 'has/have done', *sering* 'often', and *mohon* 'demand'. These give the description about life reality and even claimed to be conventionalized culture for Sasak society for arbitrarily and with not hesitate claiming for divorce. The evidence has implicitly affected the solely separation of intimate relationship between the couple of a spouse and child custody resulting in disappearance of family value profile, responsibility, and togetherness.

CONCLUSION

The use of modality in the text of divorce claim was found 49 clauses among the overall 116 data, which cover modality of certainty 18 clauses (15.51%) and modality of trend modulation 16 clauses (13.80%). The evidence signifies intentional effort to show consideration, ideas, or opinion of the plaintiff addressed to the religious court of Praya made in request form of divorce claim. The result of conducted analysis with the orientation of SFL approach shows significant relevance to discourse learning at higher education referring to curriculum of 2013 and learning syllabus. The core of material instruction in this investigation is technique of discourse analysis and finding aspect. Both of these aspects are conducted in the course at semester V at the university Kedua hal tersebut dilaksanakan dalam bentuk perkuliahan di semester V as well as arranged in the lecture

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