

Conference Paper

Engagement and Graduation in Text of the Law on Electronic Information and Transaction

Ernawati Br Surbakti^{1,2}, Tengku Silvana Sinar¹, Eddy Setia¹, and Suriyadi⁴

¹Postgraduate Department of Linguistics, Faculty of Cultural Sciences, University of Sumatra Utara, Medan, Indonesia

²Politeknik Negeri Lhokseumawe, Aceh, Indonesia

³Politeknik Negeri Medan, Medan, Indonesia

Abstract

The objective of this study was to describe the pattern of Engagement and Graduation in text of *UU ITE* (the Law of the Republic of Indonesia No. 11/2008 on Electronic Information and Transaction). The data were collected from the text transcript of *UU ITE*. This study employed the theory of Systemic Functional Linguistics with parameter of category of Appraisal. The data were analyzed, distributed and interpreted to observe the status and type of semantic and grammatical means of categories found in the context of the discourse based on the Appraisal framework. The results of the study demonstrated that (1) the pattern of the lexical means conveying positioning used in the text of *UU ITE* tended to be Engagement \wedge Heterogloss \wedge Intra-vocalization \wedge Open \wedge Modality. Based on the design form or structure, the lexical means conveying Engagement in *UU ITE* was dominantly found in Chapter VII on prohibited actions and in Chapter III on electronic information, document and signature (2) the pattern of the lexical means conveying Graduation used in the text of *UU ITE* tended to be Graduation \wedge Force \wedge Quantification \wedge Time. According to the design form and structure, the lexical means conveying Graduation in *UU ITE* was dominantly found in Chapter XI on criminal provisions.

Keywords: engagement, graduation, *UU ITE*, modality.

1. Introduction

The rapid development of technology has created *UU ITE* (the Law No. 11/2008 on Electronic Information and Transaction). *UU ITE* meets people's needs in taking actions in cyber world. It is issued to accommodate material and procedural provisions. It ensures the legal certainty in performing activities in electronic system. However, understanding and socialization of *UU ITE* to public due to social changes is not yet effective, as seen from the high number of violations of information technology use

Corresponding Author:

Ernawati Br Surbakti
 ernawati@pnl.ac.id

Received: 13 March 2018

Accepted: 10 April 2018

Published: 19 April 2018

Publishing services provided by
 Knowledge E

© Ernawati Br Surbakti et al. This article is distributed under the terms of the [Creative Commons Attribution License](#), which permits unrestricted use and redistribution provided that the original author and source are credited.

Selection and Peer-review under the responsibility of the AICLL Conference Committee.

 OPEN ACCESS

[13]. The language in *UU ITE* is still difficult for public to understand. Some of the articles have ambiguous interpretation; thus, it was claimed to be revised in 2016, and the claim was granted. The author took *UU ITE* (the Law No. 11/2008 on Electronic Information and Transaction) as the object of the study. The objective of this study was to describe the pattern of Engagement and Graduation in text of *UU ITE*. The analysis of Positioning and Graduation was applied to discover the essence of legal language and to enrich Indonesian Language in legal field. It did not only convey the linguistic functional system in *UU ITE*, but it also directly conveyed its social and cultural system. This study discussed the evaluation of language used in *UU ITE* by applying Functional Systemic Linguistics in the framework of Appraisal (Engagement and Graduation). Appraisal can be used to explore, explain and describe how language is used to evaluate, have belief, build textual personal and arrange positioning and interpersonal relationships [6].

2. Literature Review

2.1. The law on electronic information and transaction

UU ITE (the Law No. 11/2008 on Electronic Information and Transaction) is legally grounded on Article 5 paragraph (1) and Article 20 of the Constitution 1945 of the Republic of Indonesia. *UU ITE* is necessary to be implemented considering the Indonesia is one of the countries that use information technology today. It was validated in Jakarta on April 21, 2008 by the President of the Republic of Indonesia Dr. H. Susilo Bambang Yudhoyono. It was enacted in Jakarta on April 21, 2008 by the Minister of Law and Human Rights of the Republic of Indonesia, Andi Mattalata.

2.2. Appraisal of engagement

The terminology of Engagemen is related to the speaker's/author's positioning in their language. Engagement uses language resources to place the speaker's/author's opinion related to the proposition and proposal contained in a language or text (Martin & White, 2005: 92). This system is related to who makes the evaluation in the text. There may be one or a number of opinions in a text i.e. the speaker's/author's opinion. The participation consists of monogloss and heterogloss. Monogloss indicates that it does not use or refer to other person's opinion. The terminology of Engagement is traditionally labelled as modality, polarity, evidentiality, intensification, attribution, consensus, consequence (White, 2003; [6]). The orientational framework of this Engagement is oriented more on the meaning in the context and rhetorical effect of a dialogue than

the grammatical forms. Consequently, it has differences in choosing locution lexically or grammatically to the referred text. The role in the text will create a meaning making process in which the speaker/author negotiates the relationships found in the text.

Martin & White (2005: 97-8) explain the indicators to assess Engagement in a text as follows.

- Denying: the textual voice positions itself as at odds with, or rejecting, some contrary position:

Examples:

(deny) negation (You don't need to do that)

(counter) concession/counter expectation (Although he eats all day long, he is still thin).

- Proclaim: by representing the proposition, textual voice; against, suppresses or rules out alternative positions: (concur) naturally..., of course..., obviously, ..., admittedly..., etc; some types of 'rhetorical' or 'leading' question

(pronounce) I contend..., the truth of the matter is ..., there can be no doubt that ...etc.

(endorse) X has demonstrated that ...; As X has shown....etc.

- Entertain: represent the proposition explicitly as the grounded in its own contingent, individual subjectivity, authority voice which describes proposition.

Example:

It seems, the evidence suggests, apparently, I hear.

Perhaps, probably, maybe, it's possible, in my view, I suspect that, I believe that, it's almost certain that..., may/will/must; some types of 'rhetorical' or 'explanatory' question.

- Attribute: By representing proposition as the grounded in the subjectivity of an external voice, the textual voice represents the proposition

Acknowledge: X said ..., X believes..., according to X, in X's view.

Distance: X claims/emphasizes that..., it is rumoured that...

2.3. Appraisal of graduation

Graduation is related to the use of language function of strengthening or weakening Attitude and Engagement connected by text (Martin & White 2005: 136). Attitude is frequently related to level. Therefore, Attitude can be strengthened or weakened. Gradability is generally the characteristic of Engagement system. In Engagement, meaning

is scaled and it will be varied from one to another sub-system. Engagement values scale of speaker's/author's intensity level (Martin & White 2005: 135). Graduation consists of force and focus. Force is used to strengthen or weaken the evaluation level. Focus is used to sharpen and or smooth the quality of what is said.

2.3.1. Force

Force has two sub-categories; intensification and quantification. Force includes judgement on the level of intensity and as to amount (Martin & White, 2004: 140). Assessment on intensity can be used over quality (slightly stupid, extremely stupid), over process (the noise is slightly disturb us, the noise is greatly disturb us), over the verbal modalities of likelihood, usuality, inclination and obligation (eg *it's just possible that, it's very possible that*). Term of intensification is used to refer scale of quality and processes. Meanwhile, the term quantification provides for the imprecise measuring of number (eg *a few miles, many miles*) and imprecise measuring of the presence or mass of entities according to such features as their size, weight, distribution or proximity (eg *small amount, large amount; nearby mountain, distant mountain*). Moreover, Martin & White (2004: 141) divide intensification into two-class of grammatical, they are isolation and infusion. Isolation is related to assessment by using up-scaling/down-scaling realisation over quality. Infusion is related to assessment by using up-scaling/down-scaling realisation over one of meaning aspect in singular term

2.4. Distribution of scale in isolation

Up/down-scaling of qualities

[pre-modification of an adjective]

A bit miserable, somewhat miserable, relatively miserable, fairly miserable, rather miserable, very miserable, extremely miserable, utterly miserable.

[pre-modification of an adverb]

Slightly abruptly, somewhat abruptly, fairly abruptly, quite abruptly, rather abruptly, very abruptly.

Up/down-scaling of Verbal Processes

[adverbially modified verbal group]

It's confusing me slightly, It's confusing me a bit, It's confusing me somewhat, It's confusing me greatly

Up/down-scaling of modalities

quite possible, very possible
quite often, very often, extremely often

2.5. Distribution of scale in Infusion

Quality

Contented, happy, joyous
 (she performed) competently, skilfully, brilliantly
 warm, hot, scalding.

Processes

this disquieted me, this startled me, this frightened me, this terrified me

Modality

Maybe, probable, certain, rarely, occasionally, sometimes, often, always

Next, quantification provide scale which related as to amount (size, weight, strength, amount) that includes time and space (how much is distributed, how long it ended) and estimates in time and space (how close, how new). According to Martin & White (2004), the semantics of this sub-system is complicated because in reality the entity of quality can be concrete (big fish, many fish, near fish) or abstract (big problem, lots of problems, little fear, great success).

2.5.1. Focus

Focus is part of graduation which function to sharpen and to soften Engagement. Example:

sharpen: a true father, a true friend
 soften: *They sort of play jazz, they are kind of crazy.*

3. Research Methods

The research uses descriptive qualitative method. Descriptive method is a method used to analyze the collected data as it is and without any intention to make conclusions to be generalized (Sugiyono, 2010: 147).

3.1. Data and resource of the data

3.1.1. Data

The data of this study is the text transcription of the Law of the Republic of Indonesia No. 11/2008 on Electronic Information and Transaction. As a whole, the text of *UU ITE* consists of 4964 words. It consists of 25 pages. The structure of *UU ITE* has Introduction, Chapter I General Provisions, Chapter II Principles and Purposes, Chapter III Information, Documentation, and Electronic Signatures, Chapter IV Electronic Certification and Electronic System Providers, Chapter V Electronic Transactions, Chapter VI Domain Names, Chapter VII Prohibited Acts, Chapter VIII Settlement of Disputes, Chapter IX The Role of Government and the Role of Communities, Chapter X Investigations, Chapter XI Criminal Provisions, Chapter XII Transitional Provisions, and Chapter XIII Closing Provisions. The data in this study are words, lexicons, phrases and clauses that are classified into: (1) Engagement sub-categories; monogloss and heterogloss (2) Graduation subcategories of force and focus.

3.1.2. Data resource

The data resource of the study is text of *UU ITE* taken from the official site of the Constitutional Court of the Republic of Indonesia (MKRI) (www.mahkamahkonstitusi.go.id). Written document as the secondary data such as academic articles of ITE bill, the final report of law research on the effectivity of law number 11 year 2008 about *UU ITE*, and the legislation related to text of *UU ITE* become the object of study.

3.1.3. Method of data collection

The method of data collection refers to Miles, M.B., Huberman, A.M. and Saldana, J. (2014). The data collection in this study is gathered from written documents related to the text of the *UU ITE*. The data of document text of the *UU ITE* is transcribed again and then performed the next steps (1) Assigning codes or themes to a set of documents. In this step the data of text transcription of the *UU ITE* is given a theme based on the text body structure of the *UU ITE* (2) sorting and sifting through these coded materials to identify similar categories, in this step the text transcription data of the *UU ITE* is classified according to the Appraisal subsystem (3) Isolating the categories to the field in the next wave of data collection. Alienate and mark text data that has been classified or categorized as a preparation for data collection as a whole. (4) Gradually elaborating a small set of generalizations, giving a brief description of the findings of the Engagement and Graduation subsystem.

3.1.4. Technique of analysing data

The process of analysing data had been started since the process of collecting the data. The process was analysed from all the available data, that is the text transcription of *UU ITE* Number 11 Year 2008. To answer the problem identifications, data analysis of the study referred to Miles, M.B., Huberman, A.M. dan Saldana, J. (2014). Data analysis consisted of three subprocesses which inter-related, they are (1) data condensation, (2) data display, (3) conclusion drawing and verification.

The process of data condensation consisted of:

1. selecting is the process of selecting data of all text of *UU ITE*. The text was read thoroughly and carefully, then analysed. Then, the findings of appraisal pattern including words, lexicons, phrases and clauses of *UU ITE* were collected and marked or classified for the next process
2. focusing is the process of focusing data analysis over the text of *UU ITE* contained Appraisal
3. simplifying is to simplify Appraisal data. In simplifying process of finding data the writer classified based on the sub-system of Engagement and Graduation Appraisal
4. abstracting and transforming, to record and to organize carefully all the findings Engagement and Graduation Appraisal from the text transcription of *UU ITE*.

It is corresponded on Moleong's (2006: 247) which said that the process of analysis by reducing the data and executing abstraction. Then, they were organized in units. The units then were categorized on the next step. The units were categorized while coding. The final step of analyzing data is to check the liability of data (Moleong, 2006, 247). Seiddel (1998) in Moleong (2006: 248), also said that the process of analyzing data goes as follows: (1) notes that produces field notes, use codes in order to the source data can be traced, (2) collecting, sorting out, classifying, synthesizing, and indexing, (3) thinking in order to make the categories of data have meaning, searching, and finding patterns and relationships, and making general findings

4. Findings and Discussion

4.1. Engagement

From the findings of the study, the expressions of Appraisal in the texts of *UU ITE* are dominated Engagement than Graduation. It is found that the heterogloss element is

used to utter the writer’s sound. This shows how the writer use language resource to engage the writer’s sound related to proposition and proposal brought by language in text of *UU ITE*.

TABLE 1: The Recapitulation of Engagement System choice of *UU ITE*.

No	Engagement System	Amount
1	Engagement: Heterogloss: extra-vocalization: asimilassion	19,58%
2	Engagement: Heterogloss: intra-vocalization: close: proclaim	4,89%
3	Engagement: Heterogloss: intra-vocalization: open: modality	39,86%
4	Engagement: Heterogloss: intra-vocalization: close: denial	34,96%
5	Engagement: Heterogloss: intra-vocalization: open: sensory	0,69%
	Total	100%

Based on the total of Recapitulation of Engagement System choice of *UU ITE*, it is found out that the most pattern of Engagement system, Engagement: Heterogloss: intra-vocalization: open: modality. The author of the *UU ITE* uses language to realize and express attitudes, views, judgments, and desires. The second system, Engagement: intravocalisation: close: denial.

The author of the *UU ITE* uses language to consider the author’s position to express denial, statement, acceptance, and reference. For example, a sentence that describes the text of Engagement elements of the *UU ITE*:

1. Everybody who state rights, rights, reinforces an existing right, or refuses the rights of others under the existence of Electronic Information and/or Electronic Documents shall ensure that the Electronic Information and/or Electronic Documents present thereof shall be from eligible Electronic Systems under the Laws and Regulations
2. Every Person without the right who intentionally distribute and/or transmit and/or make accessible Electronic Information and/or Electronic Documents which has content that violate ethics.

Lexis *states, based on, must, and that* are resources for engaging the author’s voice in Chapter III toward the informations documents, and electronic signatures found in chapter 7. There were lexis *based on* have different meaning on sentence of chapter 7. The first lexis *based on* contains meaning according to Electronic Information and/or Electronic Document. While the second lexis *based on* use the Legislation as the foundation for determining decisions. Lexis *state* has meaning of saying and expressing its rights. Lexis *must* has meaning: obligatory and have to in accordance with the legislation. Lexis *that* has meaning to strenghten the contents and descriptions of statement of rights, strengthen the rights, or deny the mandatory rights in accordance

with the legislation. Lexis *without* is a denial lexis that has a meaning no rights legally or act illegally. Lexis *may* indicate modality which means act illegally or act that make people receive Electronic Information and / or Electronic Documents that contains moral violations.

Lexis above have each contexts with the Engagement as follow:

TABLE 2: The draft or structure of the *UU ITE*.

Leksis	Engagement System
<i>State</i>	Engagement: Heterogloss: intra-vocalization: close: proclaim
<i>Based on</i>	Engagement: Heterogloss: extra-vokalization: assimilation
<i>Must</i>	Engagement: Heterogloss: inter: open: modality
<i>that</i>	Engagement: Heterogloss: ekstravokalisasi: asimilasi
<i>without</i>	Engagement: Heterogloss: intra-vocalization: close: denial
<i>may</i>	Engagement: Heterogloss: intra-vocalization: open: modality

Based on the draft or structure of the *UU ITE*, Engagements dominated on Chapter VII about prohibited acts with 21,67% Engagement systems. The second most common appraisal of Engagement expression is on Chapter III about electronic signatures, documents and information, with 20,29% Engagement systems.

4.2. Graduation

Graduation provides descriptions of the use of language function to strengthen or soften attitude Engagement which related to text of *UU ITE*. Based on the research results of the *UU ITE*, it is found that the force or power which is the resource to strengthen and weaken the most dominant evaluation level of the focus is a source to sharpen or soften the quality of the *UU ITE*.

TABLE 3: The Recapitulation of Graduation System choice of *UU ITE*.

No	Sistem Graduasi	Jumlah
1	Gradution: Force: intensification: degree	2,32%
2	Gradution: Force: intensification: methapor	5,81%
3	Gradution: Force: quantification: number	27,90%
4	Gradution: Force: quantification: space	12,79%
5	Gradution: Force: quantification: time	39,53%
6	Gradution: Focus: sharpen	12,79%
	Total	100%

Based on recapitulation of Graduation System choice of *UU ITE*, the expressions of Graduation Appraisal appear mostly in the pattern Gradution: Forsa: quantification: time. The emergence of this graduation system based on the draft or structure of

the *UU ITE* is dominated in Chapter XI on the criminal provisions of 37,20% graduation systems. As an example illustrating the Graduation system of the *UU ITE*.

1. The Government Regulation shall be stipulated no later than 2 (two) years after the enactment of this Law
2. Utilization of Information Technology and Electronic Transactions conducted for aiming to educate the life of the nation as part of the world information society.
3. Electronic Information and/or Electronic Documents and/or prints are (1) valid legal evidence.

Lexis 2 (*two*) years and *after legalized* are lexis time. Both lexis' both quantify the granting time scale to strengthen and weaken the text evaluation level of the *UU ITE*. Lexis educated life of the nation is a lecture metaphor with intelligent meaning in solving the problem. Legitimate lexis is the lexis of sharpening or reinforcing the proposition with the meaning of legal evidence in accordance with its truth. The Graduation System of the lexis above varies in context. The Graduation System is as follows.

TABLE 4: The Graduation System of Lexis.

Lexis	Graduation system
<i>Two years</i>	Graduation: Force: kuantification: time
<i>After legalised</i>	Graduation: Force: kuantification: time
<i>To bright the people's life legal</i>	Graduation: Force: intensification: methapor Graduation: Focus: sharp

5. Conclusion

The results show that (1) the tendency of use pattern of Engagement lexis in the text of *UU ITE* is Engagement \wedge Heterogloss \wedge open \wedge intra-vocalization \wedge modality. Based on the design pattern of the *UU ITE*, Engagement lexis is dominated in Chapter III Information, Documents, and Electronic Signatures and Chapter IV Prohibited Actions. (2) the tendency of use pattern of Graduation lexis in the text of *UU ITE* is Graduation \wedge force \wedge quantification \wedge time. Based on the design of *UU ITE*, Graduation lexis is dominated in Chapter XI of the Criminal Provisions.

References

- [1] Bednarek, Monika. (2006). *Evaluation in Media Discourse: analysis of a newspaper corpus*. London: Continuum.

- [2] Halliday, M.A.K & Christian M.I.M. Matthiessen. (2004). *Introduction to Functional Grammar. Third edition*. London: Arnold.
- [3] Halliday, M.A.K. (1985). *Introduction to Functional Grammar*. London: Arnold.
- [4] Halliday, M.A.K. (1994). *An Introduction to Functional Grammar*. Second Edition. London: Arnold.
- [5] Martin, J.R. & David Rose. (2003). *Working with Discourse: Meaning beyond the Clause*. London: Continuum.
- [6] Martin, J.R. & White, P.R.R. (2005). *Language of Evaluation: Appraisal in English*. London: UK: Palgrave.
- [7] Martin, J.R. (1985). *Factual Writing: Exploring and Challengin Social Reality*. Geelong: Deakin University Press.
- [8] Martin, J.R. (1992). *English Text, System and Structure*. Philadelphia/Amsterdam: John Benjamins Publishing Company.
- [9] Martin, J.R. (2004). 'Mourning: How we get aligned.' *Discourse and Society* 15.2-3; 321-344.
- [10] Martin. J.R. (2000). 'Beyond exchange: Appraisal systems in English.' dalam S. Hunston and G. Thompson, ed, *Evaluation in text: Authorial stance and the construction of discourse*. Oxford: Oxford University Press. pp. 142-175.
- [11] Miles, B. M., Huberman, A. M., & Saldana, J. (2014). *Qualitative Data Analysis: A Methods Sourcebook*. Edition 3. United States of America. SAGE Publications, Inc.
- [12] Moleong, Lexy J. (2006). *Metodologi Penelitian Kualitatif*. [Edisi Revisi] Bandung: Rosdakarya.
- [13] Sidik, Suyanto. (2013). *Dampak Undang-Undang Informasi dan Transaksi Elektronik (UU ITE) terhadap Perubahan Hukum dan Sosial dalam Masyarakat*. *Widya Journal* ISSN 2338-3321. 1(1) May-June 2013 page.7.
- [14] Sugiyono. (2010). *Metode Penelitian Kuantitatif Kualitatif dan RND*. Bandung: Alfabeta.
- [15] _____. (2018). *Mahkamah konstitusi: Lembaga Negara Pengawal Konsitusi*. Retrieved from <http://www.mahkamahkonstitusi.go.id> on 5 January 2018.