

## **CHAPTER IV**

### **FINDINGS AND DISCUSSIONS**

This chapter deals with the findings discussion and analysis of the data. To reach the goal of this research by answering statement problems, the researcher uses the theoretical review in chapter II and the procedure of data analysis as written in chapter III for help. Henceforth, the analysis is particularly focused on the conversation in the script of the film “The Judge”. In this film, there are so many statements among characters, especially Henry Palmer also known as the lawyer and Joseph Palmer also known as the judge. Because the researcher’s objective is finding power relation which is implicit in language that is used in this film script, the researcher will try to analyze the power relation by using Critical Discourse Analysis (CDA).

#### **4.1 Findings**

In this part, it is discussed the finding of the research. It is found that there are eight dialogues based on selected topic in “The Judge” that contain power relation as control and power relation as threat. Those powers will be described by using the power relation discourse theory which is part of Critical Discourse Analysis (CDA) to find what really means behind those dialogues.

##### **4.1.1 Power as Threat**

###### **Excerpt 1:**

Henry Palmer: If the great state of Illinois can't meet its burden of proof. If I (1)  
walk with a guilty client, it's on you! So I suggest you do your  
job, Kattan.

Kattan : And, and, and how does that feel, Hank? Knowing every person you represent is guilty? (5)  
 Henry Palmer: It's fine. Innocent people can't afford me. Burden of proof  
 Kattan.

The topic of this first excerpt was about the trial between Henry Palmer (HP) as the lawyer for the culprit and Kattan (K) as the representative of the victim in the court. Only both of them in the rest room, when they had a break during the trial. In line 1, the word 'if' mentioned twice in two clauses as if HP shows several evidences which press K that there is no alternative and another choice which raises HP's self confidence that he can win the trial. HP's self confidence is supported by the phrase 'burden of proof' in line 1. It means evidence that can encumber K and his client that refers to everything that can clarify the truth such as blood, surveillances, security cameras and others depend on what kind of crime and its crime scene. In line 1-2 the conditional clauses 'if the great state of Illinois can't meet its burden proof, if I walk with a guilty client' showing that the statement may possibly happen. If K can't find a proof that can militate HP and he 'Walk with a guilty client', it is K's responsibility.

At other words that worth to be observed is HP's words in line 2 'Walk with' can be interpreted as friend relation, but it is just his professional work. Professional work means defending his client who is estimated as the suspect and winning the trial. So, 'walk with a guilty client' in line 2 has intended meaning that he believes he can verify his client is innocent and pass the trial victoriously. When HP utters the words 'it's on you' in line 2, he rises his voice up. His rising tone may indicate a threat. It means that K has to work and supply the real proof, if K cannot find a

proof and let the guilty client free from punishment, it is K's fault not HP's responsibility.

In that statement above, HP shows power higher than K because he thinks that K doesn't have many things as proof that can militate against his client. Verifying proof is the most important thing during the trial. It doesn't matter who is the guilty, what that matter is who can collect and show the proof and alibi convincingly. From those statements where HP was so sure about his success in representing his client, there is a power relation in his words. In this occasion, HP can influence K to do the job harder than before by finding burden of proof.

There is a condition when HP shows power lower than K after K's question in line 4 'how does that feel hank, knowing you represent is guilty?', because HP answers that question with 'it's fine' in line 6. According to that, HP has power lower than K by accepting and using the utterance 'it's fine'. It means that HP agrees with K's statement that HP represents the criminal. Even though HP has already known that his client is guilty or doing criminal, but he still carries on the case because he has the obligation to win his client in the trial.

HP's statements contain power as threat because he causes fear in K's personal identity. Threat may threaten every personal identity and causes fear (Davies, 2001:134). Because of HP's words, K might be afraid that his client will be sent to prison instead of his innocence because a shortage of evidence to cast the guilt into a prison. HP uses his power as threat in his words to drop K's mental and challenge K to denunciate evidences and he also keeps his image for his career as a famous and professional lawyer concurrently.

**Excerpt 2:**

- Male Stranger 1: Judge Palmer's your old man? He thinks he runs this town, (1)  
 doesn't he? Your dad is a piece of shit. (fighting)
- Henry Palmer : who's on parole? You guys have a low opinion on Judge (5)  
 Palmer? When your field official is filling out his incident  
 report, I'm gonna be very helpful, as helpful as possible.  
 So let me guess, who's going to fill in the DWI ? Ugh, you  
 flinched! Possession of controlled substances, domestic  
 violence, that's you, you alright honey? What are the random  
 myriad of fucking misdemeanors is gonna come to light while  
 you're drying up at the slammer? Failure to appear bench (10)  
 warrants? Come on! And because I'm the only one that isn't  
 driving with a suspended license, I'll be drive you gals home ,  
 so, who lives closer?

The topic of the conversation above was about Henry Palmer (HP) and his brothers who argue with bunch of strangers consist of three men and two women that the researcher give them initials MS1, MS2, MS3, FS1, FS2 from Male Stranger and Female Stranger. Context of conversation above was the revenge of those strangers to HP's father as the judge that ever put them in jail and accidentally they met in the bar and started a fight. The argument fight was started because those strangers have low opinion on Judge Palmer which is HP's father by saying 'he thinks he runs this town, doesn't he?' in line 1-2. MS1 uses tag question in line 2 'Doesn't he' in the conversation with his falling intonation means that he is certain that HP and his brothers agree with him which make them very angry. The setting is in the bar and grill. Bar and grill is the place that serves beverages and grilled food. Nothing happens in the bar until MS1 insults judge palmer in front of HP's face and his brothers. Although HP is calm with that situation, his big brother cannot hold his hand trying to punch MS1 in the face. So, HP breaks up a fight with those statements with consist of power.

Initially, HP interrupts the conversation to answer MS1's insult towards his father. He sends his revenge by accusing the people to commit several crimes. As a start and as the most powerful attack, he accuses that some of the people are in parole by saying 'who's on parole?' in line 3, it means that he knows that those strangers are having problems from their attitudes and looks. Parole means conditional discharge, criminals who are released because of guaranties. So, he uses the question 'who's on parole?' to imply a threat to those strangers that whenever they commit any crime, it is easy to put them back to the jail according to his knowledge of law. This question functions as a beginning of attack which dominates the turn to the end of dialogue. And by saying 'Low opinion' in his next question in line 3 which means bad opinion, HP believes that those strangers have that bad opinion because HP's father as the judge is related to their experience in jail. It is not only about hate which is expressed with the bad language but also a vengeance.

After that, in line 4 there is 'field official is filling out' which means that those stranger's criminal is out of the jurisdiction meanwhile. The word 'his' in 'his incident report' in line 4 refers to HP's father. Thus, 'when your field official is filling out his incident report' means, if MS1 and his friend's criminal report is not in the court especially in Judge Palmer's hand, HP is very happy to help filling in the crime to his father's report by saying 'I'm gonna be very helpful as helpful as possible' in line 5. This is still the beginning of a threat before HP lists all the accusation. This illocutionary act implies that the threat is real, as he himself will help his father to register those strangers criminal report to the court.

The first attack is in line 6 about ‘DWI’ or Driving While Intoxicated which is considered as a serious crime in America. It is clearly a huge criminal problem in America because more than five million people were injured as a result of automobile accidents in 1973 (Silberman, 1978:48). And the question ‘who’s going to fill in the DWI?’ is an accusation toward those strangers. This is won by HP as one of them flinched, the unexpected gesture made by a seemingly guilty MS2 and this is directly caught by HP’s confirmation in line 7 ‘you flinched’. The other accusations are given continuously towards those strangers when HP states ‘domestic violence’ in line 7-8. HP believes that there is violence between those strangers and it is confirmed with one of the men, MS3 as the boyfriend who is also flinched and then staring each other with FS1 as the girlfriend. The utterance ‘That’s you, you alright honey?’ in line 8 from HP to FS1, he says that on purpose to confirm his guess that there is really a domestic violence among them which is acknowledged by their unexpected gestures.

The next accusation given by HP is also shown in his statements in line 9-10 the word ‘myriad of fucking misdemeanors is gonna come to light while you’re drying up at the slammer’ means that there are many insignificant law infraction is going to be distinct and come out as big infraction while they spend so much time at the prison. ‘Drying up’ is a metaphor from spending much time and ‘slammer’ is a slang language also known as the jail. This speech act may also function as a kind of threat related to any small crimes those strangers do which can put them in prison. It is not his first time to deal with any small crime which is considered as an easy case for him and he can win the trial insignificantly that’s why he is brave to say those words.

The following threat is given through HP's statements in line 10-11, 'failure to appear bench warrants? Come on!' means that those strangers cannot be failed to sit in the bench at court. It is a convincing word from HP that he will be successful to put them in jail for one more time. In line 11 HP says 'And because I'm the only one that isn't driving with a suspended license, I'll be drive you gals home, so, who lives closer?' means that he tries to humiliate those strangers by helping them with giving a lift. HP has a license which makes him the one that won't be arrested.

HP's statements above are all about power as threat. Power as threat has shown in the conflict between HP against strangers. He uses power as threat in his words, because of his confidence that those strangers are guilty. Even though he uses word 'let me guess' it is not clearly a guess. It is just his playing words. Eventually, those guess are extremely true because of those stranger's faces, gestures and body languages. His knowledge about law as the lawyer in controlling human beings mind help him to decide what he's going to say.

According to the words above, it can be known that HP dominates the conversation because he is smarter about the rules of law which makes him stronger and those strangers are weaker in the whole conversation. Unconsciously, HP's words can affect strangers and build fear in them. At first, HP is trying to reveal their fault which related to the crime such as DWI, Drug possession and domestic violence. And that condition makes them afraid to feel the bench warrant for another time. Through his words, HP clearly shows his power as threat because of his life experience as a lawyer.

**Excerpt 3:**

Henry Palmer : My father has a lot of unpleasant things but murder is not one of them. (1)

Dwight Dickham: But he is a liar. We established that. A liar who thinks he can operate under the color of the law just like his son. Your shine isn't worth a nickel, Mr. Palmer. A bully with a big bag of Tricks but unlike you, I have one simple belief that the law is the only thing capable of making people equal. You may think Mark Blackwell was white trash and he may very well had been but in the eyes of the state, his life matters. I'm going to impale your client on a first degree murder charge and you get front row seat. (5) (10)

The topic of this excerpt was about humiliation and allusion from Dwight Dickham (DD) as the lawyer for the victim to Henry Palmer (HP) as the representative of his father. The context was about the video as the new evidence that HP needed to watch and learn. Next thing happened after watching video was discussion and officially DD asked the police to give them a spare room. HP's experience of living with his father for several years makes him so confident that he knows his father very well. By saying 'my father has a lot of unpleasant things' in line 1, HP actually defends his father and demands DD not to think too cynical about his father. But unconsciously, from that words HP shows power lower than DD because it means that HP agree with DD, the police or even the people of Carlinville that his father is not a good person.

In accepting HP's words, DD states 'but, he is a liar' in line 3, it means he agree with HP that his father is not a good person. Even though HP's father maybe not a murderer doesn't mean that he is good. The existence of unpleasant things has shown in his life in the relationship between human beings which is lying by not confessing that he is the one who hits the victim.



The other accusations are given continuously towards HP when DD states ‘we established that’ in line 3. The use of past tense ‘established’ is already clear to determine that HP’s father is an obvious liar because of many evidences that DD and the police have found, but still HP’s father is not willing to confess. The existence of metaphor happens in DD’s words in line 4-5 ‘your shine isn’t worth a nickel’. DD who always opposes HP is insulting him that his popularity of being a lawyer in Chicago is not worth it. It is because of many cases that HP handles always deliver a culprit out of punishment and free.

Another metaphor has shown in line 5-6 ‘a bully with a big bag of tricks’. DD thinks that HP is the real bully because he always helps a suspect who is stronger in money position and lets the weak victim loses the case and feels sad. He uses his knowledge about the case to win without humanity, without thinking about the victim and overrides the fact. All of his tricks work together with his words as one big group. All of his idea is likely to come out when he wants to influence juror hearts and mind. As DD says in the sentence ‘big bag of tricks’ it means that HP has many tricks and it is not hard to use those tricks.

It is worth to be observed that DD’s words in line 6-7 has purpose to make a statement that he believes the law. This illocutionary act implies that he is different with HP. DD uses his knowledge about human right that people deserve everything they want equally including the law. It is supported by Dembour that people should get rights and those rights should be equal (2006:1). Law in context has always connection with human right and work together as one in court, but still there is a person like HP who takes someone’s right forcibly with his words.

The other metaphor given by DD is also shown in his statement in line 8 ‘Mr. Blackwell was white trash’ means that MB maybe a bad person but still he is the victim. According to the Bill of Rights, MB should get a service of an attorney so he can get justice to put the suspect in prison. Bill of Rights is the first ten amendments to the US Constitution which were ratified in 1791 consists of the human rights as freedoms of speech, economic, social, cultural rights, political rights, and an assistance of counsel (The International Bill of Human Rights, 1948:1). An ideal word comes out from DD in line 9 ‘his life matters’ means that even though MB did a lot of unpleasant things, his life is important not only to the country but also his families and etc. This kind of metaphor is supported with DD’s power in trying to threat HP’s father by putting him in the prison.

DD’s power as threat is shown in line 9-10 ‘I’m going to impale your client on a first degree murder’. When HP’s father has become a first degree murder, it is a large accusation because it has the meaning that HP’s father can be committed with an unlawful killing by planning before doing it. Hamilton (2003:4) stated that the sentencing according to the American law, the most cruel of the homicide crimes fall within the category of first-degree murder, in which punishment is most severe, even death in some states. First-degree murder is often unofficially referred to as “Murder One.” So, HP will be punished either the death penalty or life in prison without the possibility of parole. It is different with the sentence of first degree murder in Canada, because the Government of that country, Canada decides a life with a minimum of twenty-five years before parole (Walford, 1985:1). This fact will hurt HP and his

family, including his brothers and father because they think that their father would have no reason to kill the victim.

In the conflict between HP against DD there is a power as threat inside the conversation. DD as the representative of the victim believes with the fact that human right has always connection with social conditions especially about law. Those conversations controlled by DD as he can describe that HP and his father are big liars supported with the metaphors in his words which can make HP is speechless. DD does not mean to put HP's father in prison at first, but the existence of evidences proves that his father is guilty. DD uses his power as threat to HP with his words because he wants the victim gets his right equally.

#### 4.1.2 Power as Control

##### Excerpt 1:

Joseph Palmer: Do you have anything else to say for yourself? Anything (1)  
that would enlighten us concerning this?  
Mr. William : What do you want to hear? Nobody's hiring. You can't get  
spinach out of Petunia. I can't afford to pay child support.  
Joseph Palmer: You can't, huh? But your new truck, out front... (5)  
Mr. William : Which one? (pause) Yeah.  
Joseph Palmer: 'Yeah', is not an affirmation a man uses in court.  
Mr. William : Yes sir, judge...Sorry.

The topic of the conversation above was about a divorce trial and property division. The conversation was between Joseph Palmer (JP) as the judge and Mr. William (MW) as the husband. MW had pregnant wife who brought a lawsuit divorce to the court. Being the judge, JP has power over everyone in the court including MW. From his statement to MW in line 1 'Do you have anything else to say for yourself?' JP shows power to control MW to say anything that may help, save, or

defend himself. It may indicate sympathy from JP's statement, but his reason is just being fair to MW and his wife. If, there is something that can enlighten the case it would be very close in solving problem.

From MW's statement in line 3 'what do you want to hear? Nobody's hiring', he tries to challenge the judge and authenticate that he has alibi. In line 3-4 the word 'can't' said twice in MW's statement means that he shows his incapability to find a job and earn the money. This speech act implies that it is not his fault if he can't afford to pay the child support because he doesn't have a job which makes that the big reason why his wife wants a divorce. JP as the judge offers resistance very much. JP replies by overlapping MW's utterance in line 4 'I can't afford to pay child support' which means that MW doesn't really have that much of money with 'You can't, huh? But your new truck, out front....' in line 5. JP refracts the fact that MW has new truck outside the court means that MW lies about his property. MW has a lot of money but he doesn't give it to his wife and buy the new truck instead.

The other argumentation fight stated by MW which is shown in line 6. MW fights JP's statement back with 'which one?' in line 6. It sounds like MW denies everything. But the new truck as proof is already outside the court. There is nothing to say except confessing. MW confesses with the long pause and says 'yeah' showing expression that he is wrong and guilty.

JP as the judge dominates in every conversation in court because he can influence everyone in court by using his power as control. In law, the language that is used must be formal language. In whatever a person's background, participants must speak formal language based on law in American experience.

For example, JP uses his life experience as the judge to correct MW's response. JP's words in line 7 'Yeah', is not an affirmation a man uses in court' is a warning. It is released because MW's word in line 7 'yeah' as the defendant is not appropriate to use in court. MW, who knows the fact that he uses not appropriate affirmation, apologizes immediately to JP.

JP uses his power as control for every situation during the trial. Technically, as the judge, the leader of court session is the higher position in court. JP can control actions, movements, and thoughts of everyone he wants to give a testimony. It is similar with van Dijk's that power as control sometimes ensued by social context between people in their problems of money or low and high position and power as control can be used to control some groups in every conversation (2008:88). Becomes an honest judge makes JP uses his power as control to fix the problems and relieve the feeling of many people at that time after listening to his decision and punish someone who is supposed to be punished.

### **Excerpt 2:**

- Deputy Hanson : We got a witness that he puts his car on route 30 heading toward Shelby road at the approximate time of the accident. (1)
- Henry Palmer : Oh boy! That's not enough for his car to be at the scene. Any schmuck lawyer is gonna chew that up and spit it out – stolen vehicle. You need him behind the wheel. (5)
- Deputy Bobby : Hank, let's go Pal.
- Henry Palmer : Go where? Oh Bobby, graduation night, the quarry, your grand chevy, I remember everything. You and Kevin Thompson in the back seat naked, huffing whippet. Shall I continue? I can elaborate. (10)
- Deputy Bobby : It's just a rumor.

In the conversation above, it can be seen that there were argumentations between Henry Palmer (HP) againts Deputy Hanson (DH) and Deputy Bobby (DB). The context

was about an interview of car accident which makes HP's father, judge Palmer became the suspect. The setting was in the precinct. At first, DH put an idea about finding the proof by saying 'got' which is past tense means that the proof is already in police hands and HP is not happy with that because it is nonsense. HP suggests DH to find another proof especially the make sense one. HP is very confident about his statement in defending his father because all this time and all people of Carlinville, Indiana assume that his father is a great judge who serves the country very well.

It is worth to be observed that HP realizes that his father is a good person. But he cannot ignore the fact that police has a witness who believes that his father drives his car on route 30 according to line 1 'we got a witness that he puts his car on route 30'. This proof is getting more specific when DH says 'heading toward Shelby road' which has the meaning that his witness sees HP's father goes to the Shelby road. Shelby road is the crime scene. 'The approximate time of accident' in line 2 makes HP's father is the one and only suspect because he was driving his car to the Shelby road at the time of accident happens.

Based on line 3-5, HP tries to express his idea about the nonsense proof. He thinks that his father's car on the scene is not enough to be the proof because everyone will be able to use that car to do the hit and run. It is mentioned in line 4 'schmuck', it is US slang language for foolish. The words 'chew that up and spit it out' means that the proof is not very strong, hence every lawyer, even the less-educated can strongly win the argument without opening their mind. HP uses those metaphors because analyzing proof will be very easy just like chewing food and spitting it out. In line 5 'you need him behind the wheel', HP tries to express his

understanding that DH should find the stronger evidence such as proving his father is exactly the driver of the car because all people can steal and use that car even though HP's father is the only one that can access the car. Societal structures believe that Indiana especially in Carlinville is like another place where bad people can do bad things. Stolen vehicle is very common to happen in the city.

To counter HP's utterances helping his father, DB tries to ask HP to go from the precinct by saying 'let's go pal'. This speech act may also function as a warning for HP not to intrude during his father's interview. DB says that because he thinks that HP's words can influence the whole investigation. But, HP changes the topic immediately to reply DB's words which makes HP has power higher than DB and his friends as the police. Lines 7-9 are the words that HP uses to control DB. HP knows DB's secret which raises his self confidence that he can control DB. He threatens DB to tell the story in front of DB's partners in the police force. The story about how DB spent the night when they graduated. His memories can tell the fact more detailed that DB is gay and he uses word 'shall I continue?' indicates a threat that can control every DB's movement. Although DB tries to build a statement 'it's just a rumor' that it is not like what people think, but HP's power is actually higher than DB by spreading that rumor.

This excerpt verifies that HP will do anything to help his father. One of the ways is winning the argumentations by changing the topic. And the changing topic makes HP dominant in those conversations. His experience being a lawyer that produces knowledge how to analyze the case is the power to control DH to find stronger evidence and his awareness of DB's secret controls DB to be quiet and

speechless. HP uses those facts as the power to beat them in the conversation and that power indicates power as control because HP's words can control everything that happen in the interview. The reason he uses that power as control is helping his father to pass the trial.

**Excerpt 3:**

- Henry Palmer : leaving the scene, blood evidence, motive, biggest mistake in your career and you just happened to run them over? I can convict you over coffee but no, no, no routine is important, close the door, go. (1)
- Joseph Palmer: if the blood matches and I've no reason to doubt it does, then I must have clipped him. I don't remember any of that. (5)
- Henry Palmer : 'I don't remember what happened defense' does not fly with a corpse. We need to establish a firm defense. We gotta get the charges dropped and make it all go away in the preliminary hearing and never go to trial. (10)
- Joseph Palmer: there is no "we" here, Henry, this is an accident, period. Any decent lawyer can argue this easily. By decent, I mean honest. Someone from here, someone with integrity that an Indiana judge would respect. I retained one of the greatest this morning, alright? I wish I'd like you more. (15)

The context that happens in the conversation above was about a dispute between Henry Palmer (HP) and his father Joseph Palmer (JP). The setting was in the car, in their way going back home after fulfilling summons from the police office. The topic was about the accusation that bearing down upon JP. HP and JP in their argumentations try to control the topic by their way. The dispute caused from JP's hesitation that he cannot gets away from the accusation. HP tries to help JP by convincing him to win. Although many properties of law, such as 'leaving the scene, blood evidence and motive' in line 1 are already in police's hands and those proof can militate JP, but HP as the lawyer will do the process of law as he said in line 3 'routine is important' and he is not giving up. Line 2 'I can convict you over coffee'



means that JP can easily found guilty even while HP is drinking his coffee because the evidences are strong.

At first, in line 5 the conditional sentences ‘if the blood matches and I’ve no reason to doubt it does’ showing that the statement may possibly happen. ‘Then I must have clipped him’ in line 6 is the result of those conditional sentences. For HP, JP’s statement in line 6 ‘I don’t remember’ is not a real defense. The police will not allow that statement stands. ‘Does not fly with a corpse’ in line 7-8 is a metaphor which means the statement is not getting away easily from the police officers and they will prosecute it by the deeper investigation that is why HP says in line 8 ‘we need to establish a firm defense’ to drop the charge and pass the trial.

After that JP grabs turn taking quickly by saying ‘There is no “we” here Henry’ in line 11 to tell HP that he doesn’t want to work with him. JP is sure that any honest lawyer will help him through the case. JP’s word ‘by decent, I mean honest’ in line 12 is satire because he knows that HP’s track record as a lawyer in Chicago is bad. HP is famous by helping the guilt passing the punishment that is why JP hires a lawyer from Indiana who has integrity to the law. In this occasion, JP dominates the conversation because choosing the lawyer is his absolute right. Actually he doesn’t need to argue with his son because in line 14 ‘I retained’ is past tense means that he already contacted a lawyer in the morning. So, JP doesn’t need HP to be his lawyer. And the use of wish in line 15 ‘I wish I’d like you more’ means that JP wants to like HP in reality but the fact is obviously the opposite.

From the conversation above, it can be known that power as control happens between them. At first, HP’s words are powerful enough to control the conversation

because of the strong proof that militate JP and HP uses his power as control because he is certain that he can help JP through the case, drop the accusation and win the trial. But, with his form of words, JP can lower HP's statements. JP wants HP to stop convincing him by being a lawyer. JP expects an honest lawyer not HP instead even though he is his son. Obviously, JP has the right to have an attorney present during questioning and that right becomes his power to control everything including HP's statement. JP uses his power as control to let HP's out from his life and retains a decent attorney to help him in a court of law.

**Excerpt 4:**

- Henry Palmer : as stated by Mr. Dickham, these photos were taken in the morning of the incident. Uh, what is that? Can you help me? Right there. (1)
- Deputy Hanson : Not really, no. Road kill? Raccoon, maybe?
- Judge Warren : What is your point, Mr. Palmer? (5)
- Henry Palmer : That there is a snapping turtle.
- Judge Warren : And?
- Henry Palmer : And Detroit can be forgiven for not knowing what running over a snapping turtle is like. Nobody hits it if they can see and possibly avoid it. If you hit a rabbit, possum or skunk, your car goes 'oop-oop', now if you hit a snapper, similar to smacking into a cylinder block your car goes ' ka-boom!' (10)
- Judge Warren : Mr. Palmer, where exactly are you going with this?
- Henry Palmer : Your honor, the prosecution maintains that the lack of break marks is evidence that Mr. Blackwell was deliberately struck. It's not reasonable to assume Judge Palmer could have hit something substantial, in the dark, raining, not realize that a person was hit. Just kept going. (15)

In the conversation above, there were photos as proof and those arguments about photos became a main topic that was controlled by the characters. The context was about evidence analysis in court. As a lawyer Henry Palmer (HP) tries to ask Deputy Hanson's (DH) physical ability to identify the photos by saying 'what is that?

Can you help me?’ in line 2. DH grabs turn taking by saying ‘not really, no’ means that he doesn’t know what he sees. It is supported in line 4 by saying ‘road kill, raccoon, maybe?’ means that he hesitates whether the photo is a road kill (an animal that have been struck and killed by motor vehicles driven by humans on highways) or a raccoon. A word ‘maybe’ may indicate a hesitation and his shaking body supports that fact. According to HP, it is necessary to explain and ask DH about those photos because it has something with DH’s life in the former country even though the audiences feel that his statement is just a small talk.

Small talk is a self-contained system consisting of a language and a development environment (Lewis, 1995:11). People who use it will be specific in their interactions to build a bridge in conversation. By his communication skill, HP tries to learn a lot about everyone in court and influence them. To stop HP’s small talk, Judge Warren (JW) sends his command by saying ‘what is your point?’ in line 5. This illocutionary act implies a warning that during evidence identification, it is not important to say a small talk. As the judge, he has right to do something to counter everyone who wants to decelerate the court’s rules. He uses his power as the judge to control the people in court and especially to warn HP to be specific and state clearly in front of the audiences. Because of his lower position in court, HP replies with ‘that there is a snapping turtle’ immediately which is answered by JW with his raising intonation ‘and?’ means that his command about not using a small talk is real.

To answer JW’s question, HP uses his social cognition about DH’s former country, Detroit. He knows that DH is new police officer in Carlinville. Detroit is the most popular city in the U.S. state of Michigan and the largest city on the united

stated-Canada border. He believes that in Detroit, it is rare to find a snapping turtle runs the streets considering Detroit is a big city. It is different with Carlinville which just a county in Indiana. Even though HP lives in Chicago, but he still Carlinville's inhabitant. He uses the words 'Detroit can be forgiven for not knowing what running over a snapping turtle like' to control all the jurors because he believes that most of Carlinville's inhabitant have experience in seeing a snapping turtle in the middle of the street. A word 'forgiven' in line 8 means that it is ok if DH does not know yet about a snapping turtle because he is new.

It is worth to be observed that here are two 'if' in line 10-11. The word 'if' mentioned twice as HP imitates the sound of rabbit and snapper when it hits by a car. He tries to compare which one is similar with the sound of hitting someone until death. This speech act may indicate that HP's father hits the victim incidentally because the sound of hitting someone and snapping turtle is the same which can put the doubt to jurors' minds that his father acts intentionally and control the jurors that his father is not guilty.

When all of people inside the court believe everything that HP's already said, JW asks HP in line 13 'where are you going with this?' to push HP to say briefly. That question can happen because JW thinks that HP can influence the audiences with his words and this is similar with the small talk problem above. From what JW says, he uses this kind of question because he has power in position to control everyone including HP during the trial.

The other answer for JW's question, HP has prepared a convincing statement in line 14-18, still with the formal language 'your honor' to respect the judge as the

leader of the trial who has the power because of higher position. From HP's view of the lack of break marks, HP's father is not guilty because he may think that he strikes a snapping turtle instead of the victim. It is supported with the condition of that night, dark and raining that makes HP's father keeps going not knowing what he had struck.

The real power conflict from the conversation above is between HP and JW. DH and his statement is just the mediator of how and why HP and JW use their power as control. HP uses his power in a sentence form as a statement that has a purpose to influence the jurors that his father is innocent and also offers a proof and JW uses his power in a question form which can control HP to alleviate his small talk.

### Excerpt 5:

Joseph Palmer: I killed the bastard. (1)

Henry Palmer : You're funny. Please don't ever say that again. Don't say that.

Joseph Palmer: I know me. I ran that man down.

Henry Palmer : You're speculating. I know you too. You're not capable of  
Over riding a life time of ethical superiority. (5)

Joseph Palmer: I don't have the energy to fight with you Henry.

Henry Palmer : Then muster some. Do you remember hitting him?

Joseph Palmer: It's just a matter of time.

Henry Palmer : Clock's run out. I don't have fucking time. You're not taking  
the stand. (10)

Joseph Palmer: Then uh I'll fire you and C.P. will do it.

Henry Palmer : You're the most brutally, bullheaded client I've ever had. This  
is easy. There is no witness. The prosecution can't prove you  
hit him any more than you can. I've spread reasonable doubt  
all over this case. Please, will you just let me do my job. Let (15)  
me do the talking, keep your mouth shut and win. Ok, so  
you're gonna swear in hand to God and lie under oath that you  
remember hitting him?

Joseph Palmer: I won't confess to something I don't remember doing, okay?

Henry Palmer : You promise? (20)

Joseph Palmer: Yes.

Henry Palmer : Thank you.

In the conversation above, it can be seen that there were a dispute between Joseph Palmer (JP) and Henry Palmer (HP). The context was about JP's desperation that he will lose the case. The setting was in the hospital because during the first court session, JP collapsed and brought to the hospital. JP was collapsed because the representative of the victim showed a video which made him whirling and felt desperate. At first, JP says 'I killed the bastard'. The use of past tense 'killed' means that he is certain that he was killing the victim. It is already clear from the video. It is kind of giving up statement rather than saying 'I think I kill the bastard'.

Hearing that words, HP tries to build a confidence in JP's mind by saying 'you're funny'. It doesn't mean that JP's word is funny. So, the statement 'you're funny' he uses implying a confidence that JP is wrong. It is supported in line 2 'don't say that' to control JP to be strong mentally. Whenever JP is down mentally, HP expects a zest of life from JP that together they can win the trial by saying 'please, don't ever say that again'. Desperation can happen in everyone in human life. JP uses his power as control as he knows himself by saying 'I know me' and 'I ran that man down' shows his desperation for the second time. The use of past tense 'ran' is already clear that he hits the victim.

For HP, it is no use if JP is just speculating according to his words 'you are speculating'. To counter JP's words towards him, HP sends his attack by saying 'do you remember hitting him?' as a start and as the most powerful attack. He believes that as long as JP doesn't remember, he'll be free of charge. And then, HP also supports JP that there won't be another time so he can extricable from the accusation. HP uses his power

to control JP not to take a testimony by saying ‘you’re not taking the stand’ because according to his knowledge of law, the suspect’s testimony is the key whether the suspect will be suffer in jail or free.

But in his lack of confidence, JP replies with ‘then I’ll fire you’. Choosing the lawyer and becoming his representative, is clearly JP’s right. It is important to know that the using of power in his statement, JP tries to control HP who has power lower by threatening him. JP still believes that there are lawyers who still exist better than JP more than one by saying ‘CP will do it’. Actually CP is the abbreviation from the first and middle name of someone JP chooses to replace HP.

Even if JP says those words which consist of power as control, HP doesn’t lose the tricks to fight JP’s words. In line 14 ‘I’ve spread a reasonable doubt all over this case’. HP hopes that JP will avoid from having the desperation to lose a case that he is working on it. The term ‘reasonable doubt’ in accordance to HP refers to some proofs that he used in the trial that possible to make the jurors and the judge doubt that the defendant is guilty. Even JP knows that he may lose the case, but it is important to endeavor. Desperation is the nature of human beings. It cannot be eliminated. But for HP, if JP can decrease a little bit of his desperation or even eliminate it, they can be a great merger. In his effort to relieve JP’s desperation, HP says in line 15 ‘please let me do my job’ to raise his confidence and the trial is definitely going to be fine.

The words ‘keep your mouth shut and win’ in line 16, this is the beginning of control before HP utters other words which consist of power as control. HP says that clearly to JP to control him to follow his rules. It is supported by his words ‘you’re gonna swear in hand to God’. HP says that implying an asking agreement as he

himself will help JP to win the trial. They need this agreement because they should say the same thing in court. They should make an equal testimony during the trial in order to influence all the audiences and put doubt in their minds.

This conflict is won by HP as JP obeys from his statement in line 19 ‘I won’t confess to something I don’t remember doing, okay’. The unexpected answer stated by JP and this is directly caught by HP’s asking ‘you promise?’ in line 20 which is directly answered by ‘yes’ from JP in line 21.

There is dominance in every conversation. JP who believes that he is the defendant has right to choose the best lawyer. His right is the source of his power to control HP and dominates the conversation. But, his domination is not strong enough when he debates HP because he has the bigger reason than JP to control the conversation. According to HP, JP’s life is in his hands as the son and also the lawyer. The fact that happens, HP tries to reverse it. This power as control he uses it only to save JP according to his view. By his statements, HP shows that he loves his father very much and will not let him becomes an inmate or a prisoner or anything bad happen to his father.

HP conveys how power can influence human beings in his words. At that time, his opponents who have different principle and thought seems weak because of him. However, he wants to send his message contains power mostly as control to the people. He convinces many people in court to have the same idea with him. By using CDA, the form of power relation and why HP and another characters repeatedly uses power can be seen clearly in the conversation. Some people may interpret power as



threat or as control but the purposes of HP's words are helping his father to pass the trial.

Finally, the analysis through CDA is very appropriate. CDA invites people to see the language in a different way. The possibilities of controlling and threatening people by power can be shown in their language. CDA which focuses on the hidden meaning is very helpful for the researcher in fulfilling this research. This theory will always be used for another researcher who wants to analyze language in spoken or written text.