

CHAPTER II

LITERATURE REVIEW

A. Review of Literature

1. Speech Act Analysis Found in Legal Text

Legal texts are not merely a collection of rules, but also function as communicative acts performed by legal institutions. From a linguistic perspective, legal language performs acts such as commanding, permitting, obligating, and prohibiting through formalized linguistic structures. Legal language, in essence, is a variation of language that has its own uniqueness, which is reflected in the use of specific linguistic features (Alrabiah, 2018). These speech acts are not only intended to regulate individual behavior, but also play an important role in maintaining social order. According to Sari & Susmita (2025) These speech acts do not merely serve to regulate behavior, but also play an important role in maintaining social order. Analysis of speech acts is considered a relevant approach to understanding how law operates through language. This approach allows researchers to analyze how legal authority is linguistically manifested. Speech acts show that sentences are not only used to express words but also to carry out actions (Surono, 2025)

Several studies have applied speech act theory, particularly Austin's and Searle's frameworks, to the analysis of legal texts. Austin's distinction between locutionary, illocutionary, and perlocutionary acts helps explain how legal utterances function as actions rather than simple statements. The central

pillar of Austin's theory of speech acts is the three-way distinction between locutionary, illocutionary, and perlocutionary acts (Austin, 1962., cited in Reiland, 2024). Among the categories of illocutionary acts proposed by Searle are forbidding, classified as a directive speech act, and threatening, classified as a commissive speech act. Several meaning of Searle's classification of illocutionary acts, such as forbidding of directive speech act and threatening of commissive speech act (Husain, 2018). is used to categorize legal provisions because legal language not only serves to convey information, but also to perform official acts carried out by authorized institutions that must be obeyed. Legal texts frequently employ directive and commissive acts to establish rights, impose obligations, and regulate behavior. Through speech act analysis, researchers can identify how legal norms are linguistically constructed and institutionalized.

In conclusion, speech act analysis provides a valuable theoretical framework for examining legal texts. It enables a deeper understanding of how legal language functions performatively to produce legal effects. By focusing on illocutionary force, researchers can uncover the communicative intentions embedded in statutory provisions. This approach highlights the role of language as an instrument of power and regulation. Consequently, speech act analysis is highly relevant for linguistic studies of legal documents.

2. Speech Act of Prohibition Found in Legal Text

Among various types of speech acts found in legal texts, the speech act of prohibition plays a central role in regulating social behavior. Prohibition is relatively difficult to carry out. Among directive speech acts, prohibition is one of the most difficult speech acts to perform (Dessari et al., 2021). Prohibitive speech acts are used to restrict actions that are considered unlawful or undesirable within a legal system. Language plays an important role in shaping personal identity and guiding people's behavior because it reflects and reinforces the values and norms of society. Language contributes to the formation of individual identity and social behavior by expressing and strengthening the values and norms that exist within a society (Widya & Agustina, 2024). In legal text, language is used to regulate the behavior of individuals in society. Law, consisting of general and abstract rules that govern the behavior of individuals in society (Latreche, 2025) These prohibitions function not only as rules but also as mechanisms of control and enforcement. As a result, the speech act of prohibition is a significant focus in legal linguistic studies.

Previous research shows that prohibitive speech acts in legal texts are commonly realized through specific syntactic forms. In the study by Al-Saaidi et al., (2013) prohibitions in English are primarily expressed through declarative. From a pragmatic perspective, these forms carry strong illocutionary forces that signal authority and obligation. Prohibitive speech acts may also function as warnings or threats, depending on the legal context and

potential sanctions involved. Analyzing these features helps reveal how prohibition is linguistically framed and legally enforced.

In summary, the speech act of prohibition is a crucial element in legal texts that reflects institutional power and normative control. Through syntactic and pragmatic analysis, researchers can identify how prohibitions are structured and how their meanings are conveyed. Understanding prohibitive speech acts contributes to a clearer interpretation of legal intent and authority. This analysis also demonstrates how language functions as a tool for enforcing legal norms. Therefore, studying the speech act of prohibition is essential for comprehensive legal linguistic research.

B. Review of Relevant Research

Several studies have examined the speech act of prohibition from a pragmatic perspective in different cultural contexts. One relevant study focuses on how prohibitions are expressed politely in Japanese. The research conducted Dessari et al. (2021) analyzed prohibition speech acts in the Japanese drama *Good Doctor*. The study classified prohibition expressions based on Namatame's theory and examined their politeness using Leech's politeness maxims. The findings revealed several prohibition markers such as *dame*, *~naide*, *~na*, *~naide kudasai*, *~te wa ikemasen*, and *~nai*. The study also finds that the politeness of prohibition speech acts is influenced by factors such as intimacy, age, social relations, social status, gender, group membership, and

situation. The similarity with the present study lies in the analysis of prohibition speech acts, while the difference lies in the data source and research context.

Prohibitive speech acts have also been explored within local language communities, particularly in relation to everyday communication. The study by Widya and Agustiana (2022), titled *Speech Act of Prohibition in Minangkabau Language*, examines the linguistic forms and politeness strategies used in prohibition speech acts among Minangkabau speakers. Using a qualitative descriptive approach, the researchers found that prohibitions can be expressed directly through imperative sentences and indirectly through declarative and interrogative sentences. The study also revealed the use of various politeness strategies. This study is relevant to the present research because both investigate prohibition speech acts from a pragmatic perspective. However, while Widya and Agustiana focused on everyday interactions in the Minangkabau language, the present study examines prohibition speech acts in the context of Australian migration regulations

Legal and religious texts have also been the subject of prohibition speech act analysis. The study by Al-Saaidi et al. (2013), entitled *Speech Act of Prohibition in English and Arabic: A Contrastive Study on Selected Biblical and Quranic Verses*, investigates how prohibition speech acts are realized in English and Arabic through a contrastive analysis of selected verses from the Bible and the Quran. Using a three-level analytical framework consisting of syntactic, semantic, and pragmatic analysis, the study found that prohibition in English is commonly expressed through declarative sentences, whereas Arabic

frequently employs negative imperative forms. The findings also reveal that prohibition can be conveyed both explicitly and implicitly in both languages, with Arabic showing a greater use of these devices. This study is relevant to the present research because it demonstrates how prohibition speech acts vary across languages and contexts. However, while Al-Saaidi et al. focused on religious texts in English and Arabic, the present study examines prohibition speech acts in Australian migration regulations.

Religious discourse has further contributed to understanding how prohibitions are conveyed through authoritative language. Jazuli (2020), in his study entitled *Speech Act Strategies of Commands and Prohibitions in Hadiths*, examined the strategies used by Prophet Muhammad in conveying commands and prohibitions through the framework of Searle's speech act theory. Using a pragmatic approach, the study finds that commands and prohibitions are delivered through three main strategies: direct literal speech acts, indirect literal speech acts, and indirect non-literal speech acts. The findings also reveal that indirect speech acts are used more frequently than direct speech acts in conveying commands and prohibitions. This study is relevant to the present research because it demonstrates that prohibition speech acts can be realized through different communicative strategies depending on the context. However, while Jazuli focused on religious discourse in hadith texts, the present study examines prohibition speech acts in Australian migration regulations

Prohibitions issued by the government in the context of public policy have also been extensively studied. Uctuvia & Nurhayati (2021), in a study entitled Directive Speech Acts on the Statement of Prohibition of Homecoming for Lebaran 2021, examined directive speech acts used in the Indonesian government's prohibition of homecoming during the Covid-19 pandemic. Using a critical-pragmatic approach, the study found three types of directive speech acts in the statements of government and religious leaders: appealing, prohibiting, and commanding. The findings also reveal that these directive speech acts are realized through declarative and imperative clauses. Furthermore, the study showed a strong synergy among government officials and religious figures in delivering the prohibition message. This study is relevant to the present research because it analyzes prohibition-related discourse issued by authorities. However, while Uctuvia & Nurhayati's study focused on domestic public policy during the pandemic, the present study examines prohibition speech acts in Australian migration regulations.

C. Theoretical Framework

This study employs a theoretical framework that integrates syntactic and pragmatic perspectives to analyze speech acts of prohibition in legal texts. The framework draws on Allan's syntactic structures, Austin's foundational speech act theory, and Searle. These theories are combined to explain how prohibitions are structurally constructed, pragmatically interpreted, and functionally categorized in legal discourse. By applying this integrated

approach, the study aims to provide a comprehensive understanding of how prohibitive meanings are expressed and enforced through language.

There is a relationship between syntactic structure and illocutionary force. There are several grammatical sentence forms, such as interrogative, imperative, and declarative sentences, which typically correspond to specific illocutionary forces (Allan, 1986). In legal texts, prohibitions are frequently realized through declarative sentences that function implicitly, as well as imperative structures that express direct commands. Interrogative sentence is a type of sentence that ask question and always ending with question mark. Modal constructions such as shall not, must not, and may not are particularly significant in conveying the obligatory and restrictive force of legal prohibitions. To account for the pragmatic dimension of these structures, Austin (1962) theory of speech acts is employed, specifically his distinction among locutionary, illocutionary, and perlocutionary acts. Within this framework, prohibition is understood primarily as an illocutionary act intended to prevent or restrict certain actions. The classification of illocutionary forces in this study is adapted from the concept of directive and commissive speech acts proposed by Searle (1976). The researcher further categorizes prohibition into forbidding and threatening.

By integrating Allan syntactic, Austin's speech act framework, and Searle's classification of illocutionary acts, this theoretical framework provides a systematic basis for analyzing prohibitive speech acts in legal texts. The syntactic approach facilitates the identification of grammatical forms used to

express prohibition, while the pragmatic approaches explain the communicative intentions and functional roles of these forms. This framework helps the study understand how prohibition is expressed in legal language. It also explains how legal rules are communicated through different linguistic forms. Therefore, the analysis can show both the structure and the meaning of prohibition speech acts found in legal texts.