

PLAIN LANGUAGE INTERVENTION TO IMPROVE PUBLIC UNDERSTANDING OF LEGAL LANGUAGE: DESCRIPTIVE ANALYSIS OF CONTROVERSIAL ARTICLES IN THE JOB CREATION LAW

^aMarlia, ^bJatmika Nurhadi, ^cDiyas Puspandari, ^dIndra Nugrahayu Taufik,
^eIda Widia, ^fSiti Kodariah, ^gKrisanjaya, ^hLusi Komala Sari

ABSTRACT

Objective: This article discusses the plain language intervention to enhance public understanding of legal language, particularly regarding the controversial provisions of the Job Creation Law.

Methodology: The research was conducted through a survey distributed to individuals from various educational and professional backgrounds.

Theoretical framework: This research uses several simple language approaches such as, Bivins (2008); Mukherjee, et al. (2017); Wojcik (2013); and Wydick & Sloan (2019). This framework is used to intervene in legal language to make it simpler and easier to understand.

Results and Conclusion: The questionnaire results indicated that 82.6% of respondents had a better understanding of the simplified (plain language) version of legal text, while only 17.4% understood the original legal language version. This correlated with a decrease in the lexical density index by 9.07 (25.11%) after the implementation of plain language. These findings demonstrate that the general public faces difficulties in comprehending legal language and expresses the desire for improvements in the use of simpler and more understandable legal language. Legal documents tend to be challenging to understand due to the extensive use of technical terms, long and complex sentences, and ambiguity in expressing legal meanings.

Originality/Value: In the context of the Job Creation Law, the reduction in lexical density through the implementation of plain language has helped improve public understanding of legal

^a PhD in Linguistics, Universitas Pasundan, Bandung, Indonesia, E-mail: marlia@unpas.ac.id, Orcid: <https://orcid.org/0000-0003-0683-2716>

^b PhD in Linguistics, Universitas Pendidikan, Indonesia, E-mail: jatmikanurhadi@upi.edu, Orcid: <https://orcid.org/0000-0002-6229-8186>

^c PhD in Linguistics, Telkom University, Indonesia, E-mail: diyaspuspandari@telkomuniversity.ac.id, Orcid: <https://orcid.org/0009-0006-3153-623X>

^d PhD in Indonesian Language Education, Universitas Bale Bandung, Baleendah, Indonesia, E-mail: indranugrahayu@gmail.com, Orcid: <https://orcid.org/0000-0001-7923-3138>

^e "PhD in Indonesian Language Education, Universitas Pendidikan, Indonesia, E-mail: idawidia@upi.edu, Orcid: <https://orcid.org/0000-0003-2291-8026>

^f Master in Cultural Studies, Universitas Muhammadiyah Bandung, Indonesia, E-mail: sitikodariah@umbandung.ac.id, Orcid: <https://orcid.org/0009-0008-2634-2857>

^g Master in Cultural Studies, Universitas Negeri, Jakarta, Indonesia, E-mail: jayakrisan13@gmail.com, Orcid: <https://orcid.org/0000-0001-7258-7734>

^h Ph.D in Indonesian Language Education, Universitas Islam Negeri Sultan Syarif Kasim Riau, Indonesia, E-mail: lusikomalasari@gmail.com, Orcid: <https://orcid.org/0000-0001-7234-5604>



language. However, there is a need for awareness and improvement in the use of legal language by policymakers and authorities to ensure that legal language is accessible to the general public.

Keywords: legal language, plain language intervention, public understanding.

Received: 11/20/2023

Accepted: 02/12/2024

DOI: <https://doi.org/10.55908/sdgs.v12i2.3224>

INTERVENÇÃO EM LINGUAGEM SIMPLES PARA MELHORAR A COMPREENSÃO DA LINGUAGEM JURÍDICA POR PARTE DO PÚBLICO: ANÁLISE DESCRITIVA DE ARTIGOS CONTROVERSOS NA LEI DE CRIAÇÃO DE EMPREGO

RESUMO

Objetivo: Este artigo discute a intervenção da linguagem simples para melhorar o entendimento público da linguagem jurídica, particularmente em relação às disposições controversas da Lei de Criação de Emprego.

Metodologia: A pesquisa foi realizada por meio de uma pesquisa distribuída a indivíduos de diversas formações educacionais e profissionais.

Estrutura teórica: Esta pesquisa usa várias abordagens linguísticas simples, como Bivins (2008); Mukherjee, et al. (2017); Wojcik (2013); e Wydick & Sloan (2019). Este quadro é utilizado para intervir na linguagem jurídica, de modo a torná-lo mais simples e mais fácil de compreender. **Resultados e Conclusão:** Os resultados do questionário indicaram que 82,6% dos entrevistados tiveram melhor compreensão da versão simplificada (linguagem simples) do texto legal, enquanto apenas 17,4% entenderam a versão original da linguagem legal. Isto correlacionou-se com uma diminuição no índice de densidade léxica em 9,07 (25,11%) após a implementação da linguagem simples. Estas conclusões demonstram que o grande público enfrenta dificuldades na compreensão da linguagem jurídica e exprimem o desejo de melhorar a utilização de uma linguagem jurídica mais simples e mais compreensível. Documentos legais tendem a ser difíceis de entender devido ao uso extensivo de termos técnicos, sentenças longas e complexas e ambiguidade na expressão de significados legais.

Originalidade/Valor: No contexto da Lei de Criação de Emprego, a redução da densidade léxica através da implementação da linguagem simples ajudou a melhorar a compreensão pública da linguagem jurídica. No entanto, é necessário que os decisores políticos e as autoridades tomem consciência e melhorem a utilização da linguagem jurídica, a fim de garantir que a linguagem jurídica seja acessível ao público em geral.

Palavras-chave: linguagem legal, intervenção de linguagem simples, compreensão pública.



INTERVENCIÓN EN LENGUAJE SENCILLO PARA MEJORAR LA COMPRENSIÓN PÚBLICA DEL LENGUAJE JURÍDICO: ANÁLISIS DESCRIPTIVO DE ARTÍCULOS CONTROVERTIDOS EN LA LEY DE CREACIÓN DE EMPLEO

RESUMEN

Objetivo: Este artículo discute la intervención del lenguaje llano para mejorar la comprensión pública del lenguaje legal, particularmente en relación con las disposiciones controvertidas de la Ley de Creación de Empleo.

Metodología: La investigación se realizó a través de una encuesta distribuida a personas de diversos orígenes educativos y profesionales.

Marco teórico: Esta investigación utiliza varios enfoques lingüísticos simples como, Bivins (2008); Mukherjee, et al. (2017); Wojcik (2013); y Wydick & Sloan (2019). Este marco se utiliza para intervenir en el lenguaje jurídico a fin de hacerlo más sencillo y fácil de entender.

Resultados y Conclusión: Los resultados del cuestionario indicaron que el 82,6% de los encuestados tenía una mejor comprensión de la versión simplificada (lenguaje simple) del texto legal, mientras que solo el 17,4% entendía la versión original del lenguaje legal. Esto se correlacionó con una disminución en el índice de densidad léxica de 9,07 (25,11%) después de la implementación del lenguaje sencillo. Estas conclusiones demuestran que el público en general tiene dificultades para comprender el lenguaje jurídico y expresa el deseo de mejorar el uso de un lenguaje jurídico más sencillo y comprensible. Los documentos legales tienden a ser difíciles de entender debido al uso extensivo de términos técnicos, oraciones largas y complejas, y la ambigüedad en la expresión de significados legales.

Originalidad/Valor: En el contexto de la Ley de Creación de Empleo, la reducción de la densidad léxica a través de la implementación del lenguaje llano ha ayudado a mejorar la comprensión pública del lenguaje legal. Sin embargo, es necesario que los encargados de formular políticas y las autoridades tomen conciencia del uso del lenguaje jurídico y lo mejoren para garantizar que el lenguaje jurídico sea accesible al público en general.

Palabras clave: lenguaje jurídico, intervención lingüística simple, comprensión pública.

1 INTRODUCTION

Based on empirical studies, it has been demonstrated that the utilization of intricate and difficult-to-comprehend legal language presents a substantial obstacle for the general population in understanding legal regulations and other legal documents (Bivins, 2008; Marlia et al., 2023). Studies on the understanding of legal language have indicated high levels of confusion and lack of understanding among individuals without a legal background (Williams, 2004; Marlia et al., 2023). This results in a gap in access to justice, injustice in legal protection, and even non-compliance with the law itself (Kimble, 2018). Complex and hard-to-understand legal language contradicts the principles of effective and inclusive communication (Butt & Castle, 2018). Furthermore,



Marlia et al. (2021) have demonstrated that the difficulty of the general public in understanding legal language is caused by a high lexical density index.

In the legal context, it is important for the public to understand the content and implications of legal documents, including contracts, regulations, and agreements. However, difficult-to-understand legal language can result in misinterpretation, misunderstandings, or even non-compliance with the law itself. Therefore, effective interventions are needed to enhance understanding of legal language and ensure that legal information is easily accessible to everyone. Plain language intervention is an approach aimed at making legal language more comprehensible for all individuals. In this context, plain language refers to the use of simple writing style, clear and direct sentences, avoidance of confusing technical terms, as well as the simplification of sentence structure and phrases (Bivins, 2008; Mukherjee et al., 2017).

According to Kaminker & Tulodziecki (2020), utilizing plain language in legal communication proves to be a powerful means of enhancing the understanding and accessibility of legal information among the general population. Butt & Castle (2018) further add that plain language plays a crucial role in legal writing by promoting transparency, readability, and equal access to legal information and rights. This is also in line with Kimble (2018), who states that implementing plain language in business, government, and legal settings can result in enhanced communication, decreased confusion, and greater adherence to legal obligations. According to the National Association for Legal Professionals (2022), the availability of resources on plain language in legal writing provides valuable support and guidance for the effective implementation of plain language techniques in legal documents. The American Bar Association (2020) also supports all these statements, stating that The American Bar Association acknowledges the significance of plain language in legal writing as a method to encourage clarity, comprehension, and efficient communication. In their study, Marlia et al. (2023) demonstrated that implementing plain language in the contentious provisions of the Omnibus Law on Job Creation (UU Cipta Kerja) effectively decreased lexical density and enhanced reader understanding, particularly among the general population.

Plain language intervention should be carried out during the drafting process. In this way, the resulting legal language can be more easily understood (Mahafzah & Alflaieh, 2023). Apart from the drafting process, plain language intervention can also be carried out in translation so that the translated legal language remains easy to understand



without losing its original meaning (Kupriyanova, et al., 2023). It can be concluded that the use of plain language can be carried out in various aspects of the legal language preparation process.

Based on the information provided, it can be inferred that the significance of implementing plain language interventions in legal language stems from several key factors. *First*, accessibility and equality. By using plain language, legal language becomes more accessible to individuals without a legal background. This helps reduce the access gap to legal information and ensures that everyone has an equal opportunity to understand and engage in the legal process. *Second*, transparency and readability. Utilizing plain language in legal documents improves clarity and comprehensibility. When legal language is conveyed clearly and easily understood, individuals can better understand their rights, obligations, and the implications of the legal documents they encounter. *Third*, reducing errors and non-compliance. Complex and difficult-to-understand legal language can lead to interpretation errors, misconceptions, and misunderstandings regarding legal rights and obligations. By using plain language, the risk of errors and non-compliance with the law can be reduced, thereby enhancing compliance and fairness in the legal system. *Fourth*, efficiency and cost-effectiveness. The use of easily understandable legal language can reduce costs associated with misunderstandings and misinterpretations. Documents that employ plain language allow individuals to comprehend information more quickly and accurately, reducing the need for prolonged legal consultations or complicated legal processes.

Considering these reasons, it is important to explore and implement plain language interventions as an effort to enhance understanding of legal language. By improving accessibility, readability, and equality in legal comprehension, plain language interventions can contribute to a more inclusive, fair, and effective legal system. Therefore, discussing and implementing plain language interventions in legal language becomes an urgent need to ensure equality in understanding and legal protection for all individuals.

This study aims to examine the public's comprehension of legal language both before and after the introduction of plain language interventions. The goal is to assess the effectiveness of these interventions in enhancing the public's understanding of intricate legal terminology. Thus, this study will provide a significant contribution to the understanding of how plain language interventions can effectively improve the



comprehension of legal language, as well as the importance of efforts to ensure more inclusive and accessible legal communication for all parties.

2 THEORETICAL REFERENCE FRAMEWORK

2.1 PLAIN LANGUAGE

Plain language is a simplified form of communication that aims to facilitate readers in comprehending a text. According to the International Plain Language Federation (2021), communication is considered to be in plain language when its wording, structure, and design are so clear that the intended audience can easily find, understand, and utilize the information provided. In plain language, communication is conveyed using clear words, structures, and designs that enable the intended audience to easily locate the desired information, comprehend its meaning, and apply it as needed. Wojcik (2013, p. 3) states that plain language is both easier to read and comprehend, and it is highly preferred by readers.

Plain language is closely linked to clear and effective communication, without any unnecessary complexities (Kimble, n.d., p. 51). Kinsella/Novak Communications Ltd (2002, p. 3) explains that plain language extends beyond simplifying language or removing legal terms, jargon, and complex language. It is an approach to communication that takes into account the audience and strives to deliver a message that is easily understood. In plain language documents, the effective organization, presentation, design, and layout of information are equally crucial alongside clear and effective writing (Kinsella/Novak Communications Ltd, 2002, p. 3).

According to Wydick & Sloan (2019, p. 14), plain language refers to the use of common words and clear expressions that can be easily understood by readers on their initial reading. The adoption of plain language is bringing about a transformation within the legal profession itself. Nowadays, most law schools incorporate plain language style into their legal writing courses, and court rules, such as the Federal Rules of Appellate Procedure, have been rewritten to be more user-friendly for attorneys and judges.

Plain language applies to all types of documents, encompassing their content, language, structure, and design. It places a strong emphasis on considering the intended audience and the purpose of communication (Balmford, 2005). The primary goal of a document is to provide information to its audience in a manner that is easily usable. Plain language documents ensure that the content is clear to the audience, eliminating the need



for readers to reread or ponder over the intended meaning. Moreover, in plain language documents, the audience can swiftly locate the information they require without wasting additional time searching through the document (Bivins, 2008, pp. 7-8).

The design of plain language documents enhances the presentation of content rather than distracting from it. The verbal and visual elements work harmoniously to communicate with the reader. Not only are plain language documents easy to read and comprehend, but they also have an aesthetically pleasing appearance. Their visual appeal captures readers' attention, motivating them not only to begin reading but to continue reading (Bivins, 2008, p. 8).

Documents created using plain language techniques offer several advantages. According to Baldwin (1999) as cited on the official website plainlanguage.gov, plain language improves reader understanding, aligns with readers' preference for simplicity, facilitates faster information retrieval, allows for easier document updates, simplifies training, and proves to be cost-effective.

Based on the above information, it can be concluded that plain language has numerous benefits, particularly in enhancing understanding and facilitating easy information retrieval for readers within a text.

2.2 LEGAL LANGUAGE

Legal language possesses its own standardization and distinctiveness. According to Purnanto (2006, p. 57), any language utilized by legal experts and practitioners, whether spoken or written, can be classified as legal language. In the context of Indonesia, the Indonesian language employed in legal matters represents the most abstract, logical, clear, and precise aspects of the national language. Consequently, legal language must adhere to the rules of the Indonesian language, encompassing word order, sentence structure, spelling, and terminology. In essence, all linguistic regulations applicable to the general standard language must also be applied to legal language or legislation, both by legal experts as theoreticians and practitioners.

Rahayuningsih (2003, pp. 10-15) adds that legal language exhibits several characteristics, including the utilization of lengthy sentences and complex grammatical structures, the employment of passive voice and double negatives, the inclusion of French and Latin terms, and an archaic style of language. Ahmad (2017, p. 147) elaborates that



legal language encompasses characteristics such as clarity of meaning, coherence of thought, adaptability, and formality.

According to Tiersma (2007), legalese refers to the specific features that differentiate legal language from everyday language. These characteristics encompass technical vocabulary, as well as the use of archaic, formal, uncommon, or difficult words, impersonal and passive sentence constructions, nominalization, multiple negations, long and complex sentences, and an overabundance of redundant words.

Traditional legal writing has been criticized for being verbose, characterized by excessively long sentences and challenging comprehension (Plain Language Gov., 2007). Tiersma (2007) further notes that most traditional legal writings exhibit one or more of the following features: lengthy and convoluted sentences, wordiness and repetition, the concatenation of phrases, unconventional sentence structures, impersonal constructions, and poor word choice.

In conclusion, the characteristics of legal language possess their own uniqueness. Unfortunately, the reality is that the majority of the population struggles to understand the meaning and purpose behind the language used in laws, primarily due to its complex nature.

3 METHODOLOGY

The objective of this study is to assess the efficacy of employing plain language interventions in enhancing comprehension of legal language. The research methods used are literature review and questionnaires. The literature review provides a strong theoretical framework for understanding the concepts and principles of plain language and identifying previous approaches in enhancing the understanding of legal language.

In addition, questionnaires are used to gather data from respondents representing the general public. The questionnaire is designed to measure the level of understanding of legal documents using conventional legal language and legal documents that have been intervened with plain language. The questions in the questionnaire present specific legal situations or contexts and ask respondents to demonstrate their understanding of the text. The data collected from the literature review and questionnaires are analyzed qualitatively and quantitatively to identify differences in understanding between legal documents using conventional legal language, and legal documents intervened with plain language.



3.1 PARTICIPANTS

The participants in this study consist of diverse members of the general public with varying levels of understanding of legal language, totaling 131 individuals. Among them, 1.5% are junior high school graduates or equivalent, 7.6% are senior high school graduates or equivalent, 6.9% are diploma (D-3/D-4) graduates, 45.8% are bachelor's degree (S-1) graduates, 31.3% are master's degree (S-2) graduates, and 6.9% are doctoral (S-3) graduates. Among the 131 individuals, the respondents' professions are as follows: 7.6% are entrepreneurs/business owners, 55% are employees/staff, 14.5% are lecturers, 7.6% are teachers, 11.5% are homemakers, 1.5% are civil servants, and 0.8% are lawyers. The legal language used as a sample in this study consists of the controversial articles of the Job Creation Law, namely Article 59 regarding contract workers, Article 77 regarding working hours, Article 78 regarding overtime provisions, and Article 79 regarding leave and rest entitlements (Tempo, 2020).

3.2 DATA COLLECTIONS

The data for this study consists of reader responses, specifically from the general public who have varying levels of understanding of legal language. This data was collected through a questionnaire distributed to individuals from different backgrounds via the g-form link: <https://forms.gle/siz1TBzB4UuuUsTj9>. Based on these responses, it is expected to determine the public's level of understanding of legal language, particularly after the implementation of plain language. Meanwhile, the controversial articles of the Job Creation Law were obtained from the official website of the Legal Documentation and Information Network of the Ministry of State Secretariat. The data was downloaded from the following URL: <https://jdih.setneg.go.id/Produk>.

3.3 DATA ANALYSIS

The data in this study is analyzed through several stages that involve the following steps. *First*, the study will focus on the identification and comparison of lexical density indices prior to and following the application of plain language techniques in legal discourse. This aims to evaluate the changes in the level of lexical density in legal documents after the intervention of plain language. By comparing the results before and after the intervention, we can gain a more comprehensive comprehension of how plain language effectively simplifies legal language and decreases its level of complexity.



Second, establishing a correlation between the findings of the lexical density analysis conducted before and after the application of plain language and the level of comprehension among the general public, as obtained from the questionnaire distributed. By connecting the data of lexical density analysis with the responses given by the public, it can be determined whether the use of plain language in legal language has had a positive impact on public understanding and acceptance. The information obtained through the questionnaire can provide a more comprehensive insight into the effectiveness of plain language intervention in enhancing the overall legal understanding of the public. Additionally, the correlation results can also provide a deeper understanding of the factors influencing the public's perception and response to the simplified legal language changes.

Third, calculating the percentage of public comprehension prior to and following the implementation of plain language in legal discourse. This percentage of understanding is calculated by comparing the number of respondents who truly understand the legal content before the plain language intervention with the number of respondents who understand after the plain language intervention is applied. By collecting data on public understanding before and after the plain language intervention, the extent to which the changes in easily understandable legal language affect the overall level of public understanding can be evaluated. The calculation of the percentage of understanding provides an overview of the improvements achieved through the plain language intervention and the extent to which these efforts impact the public's understanding of complex legal language. This data on the percentage of understanding is an important part of providing empirical evidence on the effectiveness of plain language intervention in enhancing the public's understanding of legal language.

Fourth, categorizing public responses based on language and non-language classifications. This is done to separate respondent comments that highlight legal language elements from other parts that do not focus on the linguistic aspects of legal language. This categorization assists in evaluating the extent to which plain language can enhance public understanding of legal language.

Fifth, conducting a further analysis of public understanding of legal language. This analysis aims to evaluate the level of understanding achieved after the implementation of plain language intervention. In analyzing public understanding, the data collected from the questionnaire and the calculation of the percentage of understanding are used as a basis. The public's responses to specific questions in the



questionnaire are explored in-depth to understand the difficulties they face and their level of understanding of legal concepts presented in plain language form. Furthermore, the analysis also involves identifying common patterns in the public's understanding of legal language. This may include areas of insufficient understanding, the most challenging areas to comprehend, and specific aspects of legal language that need further improvement or simplification.

Sixth, interpreting and drawing overall conclusions from the findings. The findings of this study are interpreted by comparing the public's understanding before and after the implementation of plain language intervention. This is done to determine the extent to which the changes in legal language that are easier to understand have impacted the overall understanding of the public. Furthermore, these findings are summarized overall to address the research questions posed in this study. The conclusions encompass an assessment of the effectiveness of plain language intervention in improving the public's understanding of legal language, as well as the important implications and contributions of this research in a broader context.

4 RESULTS AND DISCUSSION

4.1 RESULTS

Plain language intervention, as an effort to improve the public's understanding of legal language, has been carried out by several researchers (Bivins, 2008; Williams, 2004; Marlia et al., 2023). They have applied plain language to legal language by modifying sentence elements, avoiding the use of cross-references and complex definitions, reducing the use of negative phrases, using active voice, avoiding nominalizations, and selecting clearer and easier-to-understand words.

The first effort in modifying sentence elements can be made by shortening long sentences, conveying only one idea in each sentence, and placing the subject and verb close together. *The second* effort to avoid cross-references and definitions can be made by ensuring that the document does not refer to definitions in separate sections and eliminating the use of cross-references. *The third* effort in avoiding the use of negatives can be made by ensuring that the document does not contain words or phrases that express a negative stance and avoiding the use of a series of negative forms, but instead using words or phrases that express a positive or affirmative position. *The fourth* effort in using active voice can be done by ensuring that the document does not contain passive voice or



the use of the third person, but instead using active voice and the first or second person. *The fifth* effort in avoiding nominalizations can be done by using concrete verbs that depict actions in the document. *The sixth* effort in word choice can be done by using familiar and common words for the readers and avoiding the use of unnecessary words.

These efforts have proven successful in reducing the lexical density index of legal language, as seen in the controversial articles of the Job Creation Law (UU Cipta Kerja) before the application of plain language, which had a very high lexical density index of 12.11. However, after the application of plain language, there was a decrease in the lexical density index to 9.07. To provide a clearer contrast, here is a comparison of the lexical density index between the original articles and the articles that have been applied with plain language.

Table 1. Comparison of lexical density index
between original language version and plain language version

Articles	Lexical Density of Original Language Version	Lexical Density of Plain Language Version
Article 59 concerning Contract Workers	94/7 = 13,4	80/6 = 13,3
Article 77 concerning Working Hours	63/5 = 12,6	51/5 = 10,2
Article 78 concerning Overtime Provisions	68/6 = 11,3	46/6 = 7,7
Article 79 concerning the Right to Leave and Rest	102/9 = 11,3	77/11 = 7
Total	327/27 = 12,11	254/28 = 9,07

Source: Data Processed by Researchers

Table 1 shows that plain language successfully reduces the lexical density in a text. The decrease in lexical density indicates a decrease in lexical complexity. This implies that the complexity of a text is also reduced. Although the lexical density index after applying plain language is still categorized as very high, there is a decrease of 25.11%, or 3.04 points, from 12.11 to 9.07. This decrease in the index is significant for the understanding of readers, especially for the general public.

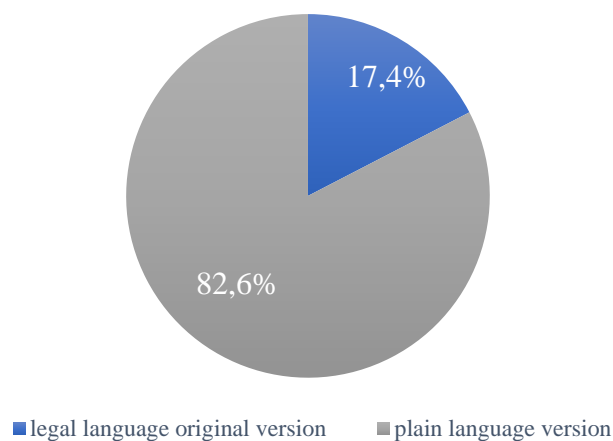
Reducing lexical density in legal language is particularly challenging, as the average lexical density of written texts typically falls between 3 and 6 (To et al., 2013) or on a scale of 2-7 (Halliday, 1976). This is because legal language contains dense content words and is abundant in legalisms and lawyerisms, making it inherently complex to simplify (or "plainify"). However, it is important to note that analyzing lexical density



provides a quantitative measure of text complexity. This information is invaluable to researchers seeking to assess the complexity of the texts they are studying.

The high lexical density index in the controversial articles of the Job Creation Law is directly related to the understanding of the general public, as revealed through the distributed questionnaire. According to the questionnaire results, it was found that 82.6% of respondents understood the simplified version of the legal language (plain language), while only 17.4% understood the original legal language version. This correlates with the decrease in lexical density index after the application of plain language, which was 9.07 (25.11% decrease). Here are the questionnaire results regarding the public's understanding of the legal language in the controversial articles of the Job Creation Law.

Figure 1. Public understanding of legal language original version and plain language version



Source: Data Processed by Researchers

Figure 1 illustrates that the plain language version of legal language is more comprehensible to the majority of the public compared to the original version. The reasons for their lack of understanding of the legal language are lengthy sentences, convoluted expressions, repetitive ideas, excessive references to previous articles, numerous technical terms, and ambiguous language, which require them to spend a long time comprehending it. This correlates with the high lexical density index of the legal language discussed earlier, which is 12.11.

However, the diagram indicates that plain language intervention significantly improves understanding of the legal language. They can more easily find the message, comprehend its content, and utilize the information contained in the legal text. Additionally, plain language intervention significantly affects the lexical density in legal



texts. In legal texts that employ plain language, there is an increase in the proportion of words related to informational content, while irrelevant or unimportant words are reduced. This leads to an enhancement in the audience's understanding of legal texts.

Furthermore, there are several expectations from the respondents regarding legal language. Comments on expectations for legal language were provided by only 120 out of 131 individuals, while 11 individuals chose not to comment. For easier reading, here is a summary of the respondents' expectations for legal language.

Table 2 Summary of respondents' expectations for legal language		
Respondents' Expectations	Frequency	Percentage (%)
Linguistic Aspects	110	92%
Non-linguistic Aspects	10	8%
Total	120	100%

Source: Data Processed by Researchers

Table 2 provides a summary of the public's expectations for further action regarding legal language. The expectations related to linguistic aspects mostly revolve around language simplicity, ease of understanding, effectiveness of sentences, accuracy, fluency, and clarity. On the other hand, expectations related to non-linguistic aspects mainly focus on improving and socializing the legal system. 67% of respondents hope for a simpler and more easily understandable legal language, 15% hope for more precise, concise, and clear legal language, 10% hope for more effective sentence usage in legal language, and 8% hope for the elimination of legal dogma, workshops for socialization, and optimal implementation of the law.

These respondent expectations provide sufficient evidence that the image of legal language being "difficult to understand" is prevalent, and there is a great expectation from the public to comprehend it. This highlights the need for awareness and improvement in the use of legal language by policymakers and authorities. Otherwise, the general public will forever struggle to understand it. These findings are consistent with Stark's (1994) exposition in Zâ'Di (2019), which explains that the difficulty the public faces in understanding legal language is due to the distinctive complexity of legal language. The more "legal" the language becomes, the more intricate it becomes. Other issues include legal language being perceived as verbose, excessive, arrogant, and dull (Tiersma, 2006, pp. 35–38). Moreover, in order to ensure clarity, accuracy, and minimize ambiguity, legal texts frequently employ terminological explanations, where certain expressions are



assigned meanings that may differ from their ordinary interpretations (Azuelos-Atias & Ye, 2017, p. 1).

Another aspect that contributes to the challenge of comprehending legal documents is the inclusion of technical legal terminology. These specialized legal terms encompass relatively complex concepts, and what adds to their intricacy is that they often presuppose familiarity with other technical legal concepts (Azuelos-Atias & Ye, 2017, p. 5). Williams (2004, p. 117) adds that one aspect hindering a full understanding of legal texts is the inclusion of technical terms and expressions that may be archaic and/or rarely used or unfamiliar, or that may have common usage in everyday discourse but carry unusual meanings in a legal context. Apart from the use of technical terms, legal texts are also distinguished by lengthy and intricate sentences. This feature exemplifies the linguistic complexity and cognitive depth of legal discourse (Mattila 2006 in Azuelos-Atias & Ye, 2017, p. 5). It is worth noting that this feature—long and complex sentences—seems to be a prevalent characteristic of legal texts in any society and era (Azuelos-Atias & Ye, 2017, p. 5). The intricacy of legal texts mirrors the intricacy of the society from which they originate. It is evident that a sophisticated society, which has established written legal norms and procedures to govern legal processes and possesses an institutionalized legal system, will inherently be complex. Consequently, the presence of lengthy and complex sentences is a natural characteristic of legal texts within such an institutionalized legal system (Azuelos-Atias & Ye, 2017, p. 6). Furthermore, legal documents (in any language) are rarely easily understood by outsiders (Azuelos-Atias & Ye, 2017).

Respondents also believe that legal language is only understood by legal experts. Explicitly, respondents commented on expectations for further action regarding legal language, stating, "It should be simplified to be easily understood not only by legal experts" and "It should be more accessible because the law belongs to the public, not just a few authorities." This is consistent with Crump's (2004) exposition in Zâ'Di (2019, p. 250) that legal language always maintains its distinctive features. However, it should also be considered that legal documents will be used and need to be understood by parties other than legal practitioners, in this case, the general public. For legal understanding, a distinction must be made between persuasive documents and preservative documents. Persuasive documents require the ability to quickly convince readers, and as a result, they should be composed using straightforward language. In contrast, the purpose of archival



documents is entirely distinct. They are retained for future reference and are not typically read on a regular basis. Additionally, the pragmatic characteristic that renders legal texts seemingly incoherent is their lack of clarity: legal meaning is often conveyed implicitly in legal discourse without accessible keywords. This meaning is clearly understood only by legal professionals (Azuelos-Atias & Ye, 2017). The primary reason behind the challenge faced by the general public in comprehending legal language appears to be the frequent utilization of specialized information in an implicit manner. This is a notable characteristic of legal language and seems to contribute to its incomprehensibility for the general population (Azuelos-Atias & Ye, 2017).

These findings provide concrete evidence that it is time to implement plain language in legal discourse. In an increasingly complex and diverse context, where society requires easy access and clear understanding of the law, the use of complex and incomprehensible language will only reinforce the gap between those involved in the legal process and the general public. By utilizing plain language, greater transparency in the legal system can be achieved, allowing the public to actively participate, understand their rights, and uphold compliance with regulations. As a step towards a more inclusive and fair legal system, the application of plain language is not only a necessity but also our responsibility to enhance accessibility and justice within the law.

4.2 DISCUSSION

Legal language is indeed difficult for the general public to understand. Legal language typically uses technical terms and specific phrases to explain certain legal concepts. Legal language is also often very formal and rigid, making it difficult for the uninitiated to comprehend easily. Many legal documents commonly used by the general public contain textual elements and designs that make them challenging to read and understand (Bivins, 2008). Furthermore, many terms and phrases in legal language have different meanings from their everyday usage, leading to difficulties for the general public in understanding their true meaning. Legal language also often incorporates foreign languages, such as Latin or French, which are unfamiliar to the general public. Mellinkoff claims that another characteristic of legal language is its tendency to be pompous and boring (Mellinkoff, 1963).

Prior to the implementation of plain language, the general public may struggle to comprehend information conveyed by relevant parties due to the use of complex or overly



technical language. This can leave the public feeling alienated or confused when trying to follow such information. However, after the implementation of plain language, it is expected that the general public will find it easier to understand the information conveyed by these parties. By using simple and easily understandable words and sentences, the general public can follow the information without difficulty and with increased confidence. This aligns with the findings of this research, which discovered that the general public has a better understanding of simplified legal language (plain language) compared to existing legal language, with a rate of 82.6%. Thus, this indicates that legal language was more difficult to understand before the implementation of plain language and became more accessible after its application.

Legal language holds significant importance within a country's legal system as it serves various purposes, including the filing, comprehension, and enforcement of the law at different stages. Therefore, the realization of effective legal language is highly important for society as it can impact individual rights and freedoms, as well as social stability and balance.

In general, society's expectations regarding the realization of legal language are as follows. Firstly, openness: Society expects legal language to be understandable by all parties, not just legal experts. This will enable active participation in the legal process and a clear understanding of their rights. Secondly, legal certainty: Legal language should be clear and well-defined, so as not to cause confusion or multiple interpretations in the legal process. Society expects legal language to provide the necessary legal certainty for all parties involved in the legal process. Thirdly, protection of individual rights: Legal language should ensure that individual rights are respected and protected fairly and equally. Society expects legal language to guarantee that they have equal rights in the eyes of the law, with no discrimination in the legal process. Fourthly, justice: Legal language should ensure that legal decisions are based on fair facts and evidence, unaffected by other factors such as social status or power. Society expects legal language to contribute to achieving justice within the legal system. Fifthly, transparency: Legal language should be transparent and accessible to all parties involved in the legal process. Society expects legal language to help improve accountability and reduce corruption within the legal system.

In order to meet these societal expectations, the government and legal system need to collaborate to ensure that legal language is effectively and efficiently used throughout



the stages of the legal process. This can be achieved through education and training for legal professionals, providing translation and interpretation services for non-speakers of the official language, and improving accessibility to legal documents and public policies. Ultimately, legal language itself is the language used in a legal context, which often has its own distinctive characteristics. Legal language can be highly complex and difficult for the general public to understand, so it is important to use plain language to ensure that the message conveyed can be understood by everyone.

Furthermore, it is important to recognize that legal documents are created with the general public in mind, each with varying levels of understanding. While the public must adhere to these laws, legal drafters must strive to strike a balance between using accurate and technical terms to explain complex legal concepts, while ensuring that the text remains easily understandable to diverse readers. By implementing plain language, legal documents can be more easily understood by the general public without relying on the assistance of legal experts. This can enhance accessibility and transparency in the legal system, as well as minimize misunderstandings and potential legal disputes that may arise due to the difficulty of understanding complex legal language.

5 CONCLUSION

From the preceding discussion, it can be inferred that the implementation of plain language intervention effectively reduces lexical density, leading to an improved comprehension of legal language. Utilizing straightforward and transparent language in legal texts assists the audience in readily locating the intended message, comprehending the information, and effectively utilizing it. Implementing plain language interventions in the future can bring significant benefits in enhancing public participation in the legal process and strengthening accessibility to justice.

Recommendations that can be provided are as follows: first, involve linguists or language experts in the drafting/designing of laws to ensure the effectiveness of language in legal products. there is a need for improvement in implementing plain language in legal documents to enhance the public's understanding of their rights and obligations within a legal framework. It is essential to recognize the importance of plain language in legal communication, as it is already being utilized in advanced countries. Therefore, it is high time to consider incorporating plain language into the language used in legal materials. Third, training and education for legal practitioners need to be enhanced in terms of using



plain language for legal documents so that they can ensure that the legal documents they prepare can be easily understood by the public. Fourth, involving the community in the process of drafting legal documents should be attempted so that they can provide input and suggestions regarding the selection of words and appropriate language to be used in legal documents.



REFERENCES

- Ahmad, Nur Aina. (2017). Problematika Penggunaan Bahasa Hukum Indonesia. *Jurnal Al-Himayah*, (1)145-157.
- American Bar Association. (2020). *Plain Language in Legal Writing: An Introduction*. Retrieved from https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/legal-writing/plain-language-in-legal-writing/.
- Azuolos-Atias, A., & Ye, S. (2017). Law and Language: An Overview of Terminology. *International Journal of Legal Discourse*, 2(1), 1-21.
- Baldwin, C. (1999). *The Effects of Plain Language on Communication Effectiveness*. Retrieved from <https://www.plainlanguage.gov/resources/articles/effectiveness.aspx>.
- Balmford, J. (2005). Evaluating the Effectiveness of Plain Language: A Practical Approach. *Journal of Communication in Healthcare*, 4(4), 317-327.
- Bivins, Peggy. (2008). Implementing Plain Language Into Legal Documents: The Technical Communicator's Role. *Stars*: 1-187.
- Butt, P., & Castle, L. (Eds.). (2018). *Plain Language Legal Writing*. Sydney: Federation Press.
- Halliday, M. A. K. (1985). *An Introduction to Functional Grammar*. London: Edward Arnold.
- International Plain Language Federation. (2021). *Plain Language: Making It Easy to Read, Understand, and Use*. Retrieved from <https://plainlanguagenetwork.org/resources/plain-language-making-it-easy-to-read-understand-and-use/>.
- Kaminker, A., & Tulodziecki, G. (2020). Plain Language: An Effective Tool to Improve Legal Communication. *Studies in Logic, Grammar and Rhetoric*, 60(1), 111-127.
- Kimble, J.D. (2018). *Writing for Dollars, Writing to Please: The Case for Plain Language in Business, Government, and Law*. Durham North Carolina: Carolina Academic Press.
- Kimble, J. (n.d.). Writing in Plain English. *Transactions*, 7, 51-57.
- Kinsella/Novak Communications Ltd. (2002). The Plain Language Primer for Class Action Notice. In *The Art and Science of Legal Notification*.
- Kupriyanova, A., Shkilev, R., Litwinowa, M., Vorotilina, T., Tagibov, K. A., & Shichiyakh, R. (2023). Legal Regulation of The Reliability and Quality of Translations of Official Documents and Texts. *Journal of Law and Sustainable Development*, 11(11), e1330-e1330.
- Marlia et.al. (2023). Contesting Indonesian Plain vs Legal Languages: Analysis of Effectiveness on Indonesian Controversial Law. *Theory and Practice in Language Studies*, Vol. 13, No. 5, pp. 1217-1225. DOI: <https://doi.org/10.17507/tpls.1305.16>.



Marlia et.al. (2021). Lexical Density in UU Cipta Kerja: A Case Study of Controversial Articles. *Proceedings of the Tenth International Conference on Languages and Arts*. Atlantis Press, Vol. 599.

Mahafzah, Q. A., & Alflaieh, M. T. (2023). Proper Legal Drafting of Arbitration Clauses. *Journal of Law and Sustainable Development*, 11(12), e1948-e1948.

Mellinkoff, D. (1963). *The Language of the Law*. Boston: Little, Brown, and Company.
Mukherjee, Namrata dkk. (2017). Manual on Plain Language Drafting. *Vidhi: Centre for Legal Policy*: 1-57.

National Association for Legal Professionals. (2022). *Plain Language Legal Writing Resources*. Retrieved from <https://www.nals.org/page/plain-language-resources>.

O'Neill, R. E., et al. (2017). Legal Language Complexity and the Need for Plain English: An Empirical Study. *The Journal of Commonwealth Law and Legal Education*, 11(2), 153-171.

Plain Language Gov. (2007). *What Is Plain Language?* Retrieved from <https://www.plainlanguage.gov/about/pl-what-is/>.

Purnanto, D. (2006). Karakteristik dan Penafsiran Pemakaian Bahasa Bidang Hukum. *Kajian Linguistik dan Sastra*, 18(34), 56–66. Retrieved May 27, 2022, from <http://journals.ums.ac.id/index.php/KLS/article/view/5136>.

Rahayuningsih, H. (2003). *Penerjemahan Teks Hukum dan Permasalahannya. Dalam Kongres Nasional Penerjemahan*. Surakarta: Fakultas Sastra dan Seni Rupa UNS.

Setneg. (n.d.). *Produk Hukum. Jaringan Dokumentasi dan Informasi Hukum*. Retrieved from <https://jdih.setneg.go.id/Produk>.

Tempo.co. (15 Oktober 2020). *Nasib Empat Pasal Kontroversial dalam UU Cipta Kerja*. Retrieved May 24, 2022, from <https://nasional.tempo.co/read/1393292/nasib-empat-pasal-kontroversial-dalam-uu-cipta-kerja>.

Tiersma, P. M. (2007). *Legal Language*. Chicago, IL: University of Chicago Press.

Tiersma, P.M. (2006). Some Myths About Legal Language. *Law, Culture and the Humanities*, 2(1), 29–50. <https://doi.org/10.1191/1743872106lw035oa>.

To, V. (2013). Lexical Density and Readability: A Case Study of English Textbooks. *English Language Teaching*, 6(6), 77-88. DOI: <https://doi.org/10.5539/elt.v6n6p77>.

Williams, Christopher. (2004). Legal English and Plain Language: an Introduction. *ESP Across Cultures*, 1: 111-124.

Wojcik, M. E. (2013). Plain Language for Lawyers. *Federation Press*, 3–7.

Wydick, R. C., & Sloan, A. E. (2019). *Plain English for Lawyers* (6th ed.). Durham North Carolina: Carolina Academic Press, LLC.

Zâ'Di, Z. (2019). The Limits of Plain Legal Language: Understanding The Comprehensible Style in Law. *International Journal of Law in Context*, 15(3), pp. 246–262. <https://doi.org/10.1017/S1744552319000260>.