



Lexical and grammatical meaning's ambiguity in the job creation law number 6 of 2023

(Ambiguitas makna leksikal dan gramatikal dalam Undang-Undang Cipta Kerja Nomor 6 Tahun 2023)

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Abstract: Job Creation Law Number 6 of 2023 was designed to revise and replace Job Creation Law Number 4 of 2022, which had previously replaced Job Creation Law Number 11 of 2020. Despite the primary objective of this law to address deficiencies in the previous laws, significant potential linguistic issues still exist, namely lexical and grammatical ambiguities. This is evident in several articles whose meanings remain ambiguous, dual, and contradictory with other articles or laws, opening opportunities for diverse interpretations and creating legal uncertainty. This study aims to delineate the forms of lexical and grammatical ambiguity in the Job Creation Law Number 6 of 2023. The research method applied is qualitative research method, focusing on analyzing micro discourse structure, encompassing lexical and grammatical meanings. The research findings reveal that several words and phrases are prone to misinterpretation. Lexical ambiguity is found in the words '*dapat*' (can/may), '*memperhatikan*' (considering), and phrases such as '*tidak mampu*' (unable), '*istirahat panjang*' (long rest), '*Paling Banyak*' (most), and '*Paling Lama*' (longest). In contrast, grammatical ambiguity is observed in phrases like '*Serta harus*' (and must) and '*Diberitahu*' (informed). These ambiguities are present in Article 17 Paragraph 1, Article 81 Paragraph 33, Article 81 Paragraph 25, Article 42 Paragraph 3, Article 17 Paragraph 32, and the explanatory section of Article 8 Part 33. Based on the research findings, it is crucial to propose a review or re-evaluation of articles that have the potential for controversy due to lexical or grammatical ambiguity.

Keywords **Ambiguity, Forensic linguistics, Grammatical meaning, Lexical meaning, Omnibus law**

Abstrak: Undang-Undang Cipta Kerja Number 6 Tahun 2023 dirancang untuk merevisi dan menggantikan UU Cipta Kerja Number 4 Tahun 2022, yang sebelumnya juga menggantikan UU Cipta Kerja Number 11 Tahun 2020. Namun, meskipun tujuan utama undang-undang ini untuk memperbaiki kekurangan di UU sebelumnya, tetapi masih terdapat potensi permasalahan linguistik yang cukup serius, yaitu ambiguitas leksikal dan gramatikal. Hal ini tampak dalam sejumlah pasal yang secara makna masih ambigu, ganda, serta kontradiktif dengan pasal atau UU lain, sehingga membuka peluang interpretasi beragam dan menimbulkan ketidakpastian hukum. Penelitian ini bertujuan untuk menguraikan bentuk ambiguitas leksikal dan gramatikal dalam UU Cipta Kerja Number 6 Tahun 2023. Metode penelitian yang diterapkan adalah kualitatif dengan fokus pada analisis struktur mikro wacana, mencakup makna leksikal dan gramatikal. Hasil penelitian mengungkap adanya beberapa kata dan frasa yang mudah disalahartikan. Ambiguitas leksikal ditemukan pada kata '*dapat*', '*memperhatikan*', serta frasa '*tidak mampu*', '*istirahat panjang*', '*Paling Banyak*', dan '*Paling Lama*', sedangkan ambiguitas gramatikal terlihat pada frasa '*Serta harus*' dan '*Diberitahu*'. Ambiguitas ini terdapat dalam Pasal 17 Ayat 1, Pasal 81 Ayat 33, Pasal 81 Ayat 25, Pasal 42 Ayat 3, Pasal 17 Ayat 32, dan bagian penjelasan Pasal 8 bagian 33. Dari hasil penelitian yang dilakukan, maka penting untuk diusulkan kajian ulang atau tinjauan kembali atas pasal-pasal yang berpotensi kontroversi karena ketaksaan makna secara leksikal maupun gramatikal.

Kata Kunci **Ambiguitas, Linguistik forensik, Makna gramatikal, Makna leksikal, Omnibus law**

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INTRODUCTION

The Job Creation Law Number 6 of 2023 was issued to simplify regulations and encourage investment. This law is one of the latest regulations designed by the Indonesian government to enhance national economic competitiveness through comprehensive regulatory reform (Arsawan & Yusa, 2023; Khuan, 2024). Known as the Omnibus Law, the Job Creation Law amends, repeals, and establishes new provisions in various laws related to job creation, investment, and business (Hadi et al., 2023).

This latest Job Creation Law aims to revise and simultaneously revoke Law Number 4 of 2022, which previously also repealed Law Number 11 of 2020 (Rato et al., 2023; Suud, 2023). However, behind this objective lies the potential for linguistic issues researchers have identified, namely lexical and grammatical ambiguity. This is evident in several articles that use words, phrases, and sentences with multiple meanings, easily interpreted in various ways and opening gaps for legal uncertainty.

An example of the ambiguity problem identified in the initial observation is using the word "*dapat*." The word "*dapat*" appears 780 times in the Job Creation Law. Semantically, "*dapat*" means 'can,' 'may,' 'able to,' and 'capable of' (Badan Pengembangan dan Pembinaan Bahasa, 2016). Considering its lexical meaning, it can be understood that its interpretation is not only on the side of policymakers but also on the side of the law readers.

The word "*dapat*" indicates flexibility in its application. Semantically, "*dapat*" implies the existence of discretion or freedom in applying activities/provisions regulated by the law, so in certain situations, those who violate this provision may or may not be considered violators. Sometimes, the word "*dapat*" also provides leeway to the court or the competent authority to determine the following action, which other parties can still contest.

The ambiguity in the Job Creation Law raises significant concerns regarding the application of its provisions, potentially resulting in inconsistencies in law enforcement and fostering disputes. Therefore, conducting research focused on addressing lexical and grammatical ambiguity is essential. The findings from such research can serve as a valuable resource for reviewing articles within the law that are contentious due to ambiguity or vague meaning.

The Job Creation Law's lexical and grammatical ambiguity has the potential to spark public controversy and create various challenges in its implementation. Several studies have highlighted criticisms from various stakeholders, including labor unions, environmental activists, civil society organizations, and legal observers. These critiques center around the perception that the law diminishes worker and environmental protections (Borman et al., 2024; Chadijah & Valiant Salomo, 2023; Denanti & Effendy, 2023; Dharma et al., 2023; Izzati, 2022; Kirana Hartanto et al., 2024; Nazmi, 2024).

One of the primary concerns critics raise is that specific law provisions grant employers excessive discretion, potentially at the expense of workers' rights and environmental standards (Rato et al., 2023). For instance, requirements related to termination of employment and severance arrangements are viewed as creating uncertainty and detrimental to workers (Borman et al., 2024; Mashudi & Basid, 2024; Utama et al., 2024). The ambiguity surrounding these provisions leaves room for interpretation, which can result in disparities in how they are applied and enforced.

Furthermore, the lack of clarity in the Job Creation Law can exacerbate existing power imbalances between employers and workers. Without clear guidelines and safeguards, workers may find themselves in vulnerable positions, unable to assert their rights effectively. This undermines labor protections, erodes trust in the legal system, and contributes to social unrest.

Addressing lexical and grammatical ambiguity within the Job Creation Law is crucial to ensuring its effective and equitable implementation. Research aimed at identifying and clarifying ambiguous language can inform efforts to revise and improve the law, making it more accessible and fairer for all stakeholders. By promoting transparency and legal certainty, such research contributes to advancing a robust and inclusive legal framework that upholds the rights and well-being of workers and protects the environment (Abbot-Smith et al., 2020; Belete et al., 2024; Deng et al., 2024; Wang & Ai, 2021).

Moreover, the lawmaking process has also been criticized for being less participatory and transparent. Many parties feel inadequately involved in the discussion, leading to protests and demonstrations in various regions (Dewi & Basir, 2023; Fadhilah et al., 2023; Hamdan et al., 2023). These concerns are further substantiated by empirical evidence from the field, which indicates that employers and workers may interpret several articles of the Job Creation Law differently. This variety in interpretation can lead to disputes and, in some cases, violations of workers' rights.

The field findings highlight the practical challenges and complexities of implementing the Job Creation Law. Despite the legislative intent to streamline regulations and improve the business environment, the law's ambiguous language and vague provisions contribute to divergent stakeholder understandings. As a result, employers and workers may have conflicting interpretations of their rights, obligations, and entitlements under the law (Adhyne, 2022; Dharma et al., 2023; Kunarti et al., 2024).

These differing interpretations can lead to disputes and conflicts in the workplace and potential violations of workers' rights. For example, disagreements over contractual terms, termination procedures, or wage regulations may emerge due to differing understandings of the relevant legal provisions. In some cases, employers may exploit ambiguities in the law to circumvent labor protections or exert undue influence over their employees (Febrianti et al., 2023; Guswara & Nasution, 2023; Suciana Rambe & Dasnawati, 2023). Such discrepancies underscore the importance of clarifying and refining the language of the Job Creation Law to ensure its consistent and equitable application. By addressing ambiguities and providing clear guidelines for interpretation, policymakers can mitigate the risk of disputes and safeguard workers' rights.

Researchers consider forensic linguistic research crucial as it can help identify and analyze lexical and grammatical ambiguities in Indonesia's Laws, especially the Job Creation Law. Using micro-discourse structure analysis methods, forensic linguistic research can dissect the use of words and phrases that potentially lead to multiple interpretations and uncover hidden intentions behind the legal text (Apriyanto et al., 2020; Pastika et al., 2023; Rafael & Pradhana, 2024).

Previously, research in the field of forensic linguistics has explored various aspects of language use in legal and political contexts, so it is not a new study in the field of language and law. For instance, Gunas (2022) used critical discourse analysis to explore controversies related to Job Creation Law Number 11 of 2020, highlighting how language in the legal text shapes controversial meanings and interpretations. Budiarto (2022) examined the use of forensic linguistics in digital evidence to uncover criminal threats via LinkedIn with a juridical approach to court decisions. Meanwhile, Warami (2022) studied language crimes on social media in the legal jurisdiction of Manokwari, focusing on using language as a tool for crime.

The previous studies align with global trends in forensic linguistics, as similar research has been conducted in other countries with comparable outcomes. For example, Smith (2021) analyzed legal discourse in the United States, noting parallel patterns of linguistic manipulation in high-profile legal cases. Similarly, Lee (2020) explored forensic linguistics in South Korea, emphasizing how digital evidence is used in cybercrime investigations, much like Budiarto's (2022) findings in Indonesia. However, differences arise in the sociocultural and legal frameworks; while studies in Western contexts tend to emphasize the technical precision of language in legal documents, research in regions like Southeast Asia and Africa often highlights language as a tool for power dynamics or social control. This comparison underscores both the universality of forensic linguistic concerns and the contextual nuances that influence the interpretation and use of language in legal settings.

However, these three studies have aspects that are not discussed in depth but can be developed for further research. The gap in these three studies is the analysis of lexical and grammatical ambiguity, which is still discussed descriptively, not yet touching on legal aspects or related to other relevant laws or articles. Forensic linguistic studies must be able to link language with law to see how the position of a problem in the studied law is connected with the perspective of other laws or articles that are equally strong. For example, in the study of lexical and grammatical ambiguity itself, this study must be linked with other laws or articles so that the ambiguity in question is genuinely valid and, in practice in the field, is potentially interpreted in various ways. Therefore, further research on analyzing lexical

and grammatical ambiguity in the context of the Job Creation Law Number 6 of 2023 is essential. At this stage, the novelty of this research is also emphasized.

The scrutiny of lexical and grammatical meanings within the Job Creation Law is imperative for ensuring legal certainty and safeguarding the rights of all stakeholders. A precise and uniform interpretation of the language can significantly reduce varied interpretations and potential misunderstandings. Such clarity is essential for the community's effective and equitable application of the Job Creation Law. Consequently, this research addresses the question: How are the lexical and grammatical ambiguities in the Job Creation Law Number 6 of 2023? The findings from this research are intended to serve as a foundation for revising and clarifying provisions. This will aid legislators in formulating more lucid laws and diminish the likelihood of legal conflicts arising from ambiguous language. Furthermore, the study contributes to the field of forensic linguistics by providing a case study on the role of linguistic analysis in legislative reform. By identifying and addressing linguistic ambiguities, this research enhances our understanding of how language can either promote or hinder justice, particularly in legal texts where precision is paramount. This contribution underscores the importance of linguistic expertise in legal drafting and highlights the potential for forensic linguistics to play a critical role in shaping clearer, more effective laws.

METHOD

This study adopts a qualitative approach, employing micro discourse structure analysis to investigate the lexical and grammatical meanings within Job Creation Law Number 6 of 2023. The choice of a qualitative approach is deliberate, as it enables a comprehensive exploration of the research data, primarily consisting of textual elements such as words and sentences (Holm et al., 2023). This approach allows the researcher to delve deeply into the nuances of the text, uncovering contextual subtleties and subjective interpretations from various legal perspectives.

Micro-discourse structure analysis is the methodological framework for dissecting the text in detail (Jiang & Raza, 2023; Prada et al., 2023). This analytical approach examines sentence structures, word usage, contextual interplay within the law, and its relationships with other legal statutes. By scrutinizing these elements, the analysis aims to identify ambiguities in the text, both at the lexical level (of word meanings) and the grammatical level (concerning sentence structures) (Borchmann, 2024; He et al., 2024; Patel et al., 2023; Wittenberg & Trotzke, 2021).

Through this qualitative inquiry, the study seeks to uncover hidden complexities and potential ambiguities inherent in the language of Job Creation law. By meticulously examining the text's micro-discourse structure, the researcher aims to elucidate any discrepancies or vagueness in word usage and sentence construction. Moreover, by situating the analysis within the broader legal context, the study aims to shed light on how these ambiguities may impact the interpretation and implementation of the law.

The object of this study is the language used in the text of the Job Creation Law Number 6 of 2023, focusing on understanding and interpreting the language within the law. The data collection technique is documentation, gathering data from the official text of Law Number 6 of 2023 and its appendices and explanations. Documentation is appropriate because the researcher accesses legal texts on the official government website (Muhtadin, 2017). Data analysis uses a micro-discourse structure approach, analyzing the denotative meaning of words, phrases, and sentences semantically and syntactically (Van Dijk, 2016).

Moreover, the data were analyzed through several stages as described below:

- a. Identifying words and phrases with ambiguous meanings, including lexical or structural ambiguity.
- b. Interpreting words, phrases, and sentences with multiple meanings, both lexically and structurally.
- c. Linking the ambiguous meanings to their potential impact on applying the law in the community and other relevant laws. To ensure the validity of this interpretation, the data have been cross-checked against legal precedents and expert opinions in both linguistics and

law, allowing for a more reflexive understanding of how ambiguous meanings can influence legal outcomes. This reflexivity is crucial, as it ensures that the analysis is not biased by subjective interpretation but grounded in a broader legal and linguistic context.

Drawing conclusions based on the detailed description provided. These conclusions are further validated through triangulation, comparing the data with existing literature and field data from similar studies, ensuring that the interpretations are reliable, and the conclusions are well-substantiated.

RESULTS AND DISCUSSION

The Job Creation Law Number 6 of 2023 is one of the relatively complex laws as it encompasses various sectors and legal aspects. This law aims to create a more conducive business climate, encourage investment, and maintain environmental sustainability (Arsawan & Yusa, 2023; Bidul & Widowaty, 2024; Hutomo et al., 2024; Pangaribuan et al., 2024; Suhardin & Flora, 2023). The latest Job Creation Law also regulates the simplification of business licensing with a risk-based system so that the type and scale of businesses determine the required permits (Hadi et al., 2023; Setia Negara et al., 2024; Stmik & Riau, 2023).

This law regulates new provisions in the labor sector regarding employment relationships, working hours, wages, and severance pay. It introduces flexibility in employment contracts and outsourcing to enhance labor market flexibility while protecting workers' rights. This law includes single permits, location permits, and building requirements aimed at streamlining bureaucracy processes and facilitating entrepreneurs in starting and running businesses for ease of business (Febrianti et al., 2023; Suciana Rambe & Dasnawati, 2023; Suud, 2023).

This law aims to boost investment by providing domestic and foreign investors facilities, including investment licensing facilitation and tax incentives. Lastly, concerning environmental aspects, this law regulates provisions regarding more straightforward environmental permits while still considering sustainability and environmental impact management, creating a balance between economic development and environmental preservation (Illona & Sally, 2023; Saputra, 2023). Within this law, several articles were found to have ambiguous meanings both lexically and grammatically. The following presents the findings of the researchers and the analysis conducted.

Table 1
Lexical and Grammatical Meaning Ambiguity Data

Data Code	Data	Types of Ambiguity	Location
D1	<i>Dapat</i>	Lexical	Article 17, Paragraph 1 regarding the amendment of Article 1, Paragraph 12 of Law Number 26 of 2007
D2	<i>Dapat</i>	Lexical	Explanation of Section 33 of Article 8
D3	<i>Memperhatikan</i>	Lexical	Article 81, Paragraph 33 regarding the amendment of Article 92, Paragraph 1 of Law Number 13 of 2003
D4	<i>Istirahat panjang</i>	Lexical	Article 81, Paragraph 25 regarding the amendment of Article 79, Paragraph 5 of Law Number 13 of 2003
D5	<i>Tidak mampu</i>	Lexical	Article 42, Paragraph 3 regarding the amendment of Article 4, Paragraph 3 of Law Number 30 of 2009
D6	<i>Paling Banyak</i>	Lexical	Article 17, Paragraph 32 regarding the amendment of Article 69, Paragraphs 1 to 3 of Law Number 26 of 2007
D7	<i>Paling Lama</i>	Lexical	Article 17, Paragraph 32 regarding the amendment of Article 69, Paragraphs 1 to 3 of Law Number 26 of 2007

D8	<i>Serta harus</i>	Grammatical	Article 81, Paragraph 1 regarding the amendment to Article 111, Paragraph 3 of Law Number 13 of 2003
D9	<i>Diberitahu</i>	Grammatical	Article 81, Paragraph 40 concerning the amendment of Article 151, Paragraph 3 of Law Number 13 of 2003

“Dapat” as Lexical Meaning Ambiguity

In D1, the lexical ambiguity arises from using the word "*dapat*." Semantically, the word "*dapat*" has several meanings, such as ‘can,’ ‘may,’ ‘able to,’ and ‘capable of’ (Badan Pengembangan dan Pembinaan Bahasa, 2016). Researchers highlight the word "*dapat*," which reinforces ambiguity in law interpretation. Denotatively, "*dapat*" is interpreted as permission or allowance to act. This allowance creates space for inaccuracies or uncertainties in its application in society. In the context of sentence D1, the word "*dapat*" implies that spatial planning supervision can be carried out, but it may also not be done by the provisions of the law. This creates ambiguity about whether the actor must carry out such supervision. This interpretation depends on the interpretation of the parties involved.

Contextually, this unclear meaning can cause the sentence to become subjective, thus directing the readers of the law toward different interpretations. These differing interpretations can lead to differences of opinion in law enforcement. Furthermore, the ambiguity of the meaning of the word "*dapat*" can result in inconsistent supervision standards, as its implementation can vary depending on the interpretation of each party involved. For example, there is a possibility that one party interprets that supervision must be carried out strictly by the law. In contrast, another party may consider the supervision optional (not mandatory). Thus, law enforcement in cases of spatial planning supervision may become inconsistent and even questionable.

Then, the word "*dapat*" in the explanation of section 33 of Article 8 indicates the presence of uncertainty and flexibility in the application of sanctions. The first "*dapat*" indicates that parties involved in environmental pollution or damage may be liable for compensation but may also be exempted. Referring to its semantic meaning, the word "*dapat*" means ‘can,’ ‘may,’ ‘able to,’ and ‘capable of.’ This semantic meaning suggests the potential for perpetrators to be exempt from sanctions because, linguistically, the word "*dapat*" does not imply compulsion. This indicates freedom in the application of sanctions, so in some cases, perpetrators of pollution or environmental damage may not be sanctioned, depending on the authorities' judgment.

The second "*dapat*" indicates the flexibility in determining the amount of compensation, which means sanctions can be imposed at various levels, from the lightest to the heaviest. In this context, the word "*dapat*" indicates that the court or competent authority has the authority to determine the amount of compensation within a wide range, according to the conditions of the case. However, the lack of specific minimum and maximum limits makes the word "*dapat*" ambiguous. The implied meaning can be interpreted in two ways: being exempt from compensation because the value of the compensation is zero or paying compensation according to the nominal amount determined.

The provisions outlined in the Job Creation Law seem to clash with the mandates outlined in Law Number 32 of 2009 concerning Environmental Protection and Management. The latter legislation is notably prescriptive and rigorous, establishing a multifaceted administrative, criminal, and civil sanctions framework. These sanctions are meticulously crafted to ensure compliance among environmental offenders, focusing on halting environmentally harmful activities and restoring degraded environments.

Law Number 32 of 2009 embodies a comprehensive environmental protection approach, emphasizing deterrence and remediation measures. Its stringent sanctions regime aims to hold accountable for those who violate environmental laws and regulations, thereby deterring future infractions and safeguarding ecological integrity. By imposing administrative, criminal, and civil penalties, the law seeks to address a wide range of environmental offenses, from pollution to habitat destruction, to promote sustainable development and preserve natural resources.

In contrast, the provisions of the Job Creation Law may inadvertently undermine the robust environmental protections established by Law Number 32 of 2009. The Job Creation Law, emphasizing deregulation and streamlining bureaucratic processes, may introduce ambiguities or loopholes that weaken environmental safeguards. By prioritizing economic growth and investment, the Job Creation Law may inadvertently compromise environmental standards, potentially leading to increased pollution, habitat destruction, and other adverse environmental impacts.

This conflict between the Job Creation Law and Law Number 32 of 2009 highlights the importance of maintaining a balanced approach to development that integrates environmental sustainability with economic growth. While efforts to streamline regulations and promote investment are laudable, they must not come at the expense of environmental protection. It is imperative for policymakers to carefully reconcile these conflicting priorities and ensure that environmental considerations are adequately addressed in all legislative initiatives.

Furthermore, harmonizing the provisions of the Job Creation Law with existing environmental laws and regulations is essential to prevent regulatory inconsistencies and legal uncertainties (Hadi et al., 2023). This may involve conducting thorough assessments of the potential environmental impacts of proposed regulatory changes and implementing mechanisms to mitigate any adverse effects. By adopting a holistic approach to development that prioritizes economic prosperity and environmental stewardship, policymakers can uphold the principles of sustainable development and safeguard the well-being of present and future generations.

Law Number 32 of 2009 underscores the imperative nature of these sanctions, reflecting a robust legislative intent to uphold environmental integrity. The law seeks not only to penalize transgressors but also to serve as a deterrent against potential violations by establishing unequivocal legal repercussions. It ensures that those responsible for environmental harm are legally obliged to undertake remediation measures, reinstating ecological balance and mitigating further damage.

Therefore, any legislative amendments or enactments, such as those proposed in the Job Creation Law, must be scrutinized to ensure they do not undermine the stringent protective mechanisms enshrined in Law Number 32 of 2009. Harmonizing these laws is crucial to maintaining a coherent legal framework that effectively safeguards environmental interests while accommodating economic and developmental objectives. If linked to the analysis, the position of the word "*dapat*" here is controversial and not in line with Law Number 32 of 2009 because perpetrators of environmental pollution have the potential to be exempt from punishment (Arsawan & Yusa, 2023).

“Memperhatikan” as Lexical Meaning Ambiguity

From D3, the main focus of attention in terms of meaning is the verb "*memperhatikan*." According to the Great Indonesian Dictionary, "*memperhatikan*" has various meanings, such as '*melihat dengan teliti*' (to observe closely), '*mengamati*' (to pay attention to), '*mengindahkan*' (to consider), and '*mempertimbangkan*' (to take into account). However, in the context of the amendment to Article 92 Paragraph 1, the word "*memperhatikan*" is paired with the clause "*kemampuan Perusahaan dan produktivitas*" (the capacity of the Company and productivity). The lexical meaning of the text is limited to considering only one party, namely the company.

The lexical ambiguity surrounding "*memperhatikan*" holds considerable implications, particularly in law enforcement. Entrepreneurs, the entities tasked with managing their companies, can exploit differing interpretations of this term to their advantage. In this scenario, entrepreneurs may interpret "*memperhatikan*" as a basis for formulating wage policies that prioritize their company's interests, even if it means setting wages lower than what is deemed fair or appropriate. Consequently, the rights of workers to receive fair and decent wages may be disregarded, leading to the potential emergence of social and economic injustices.

This ambiguity allows for a broad spectrum of interpretations, with some entrepreneurs potentially leveraging it to justify practices that undermine workers' rights. By interpreting "*memperhatikan*" to align with their interests, entrepreneurs may seek to maximize profits at the expense

of fair compensation for their employees. Such practices not only compromise workers' well-being but also perpetuate societal inequalities, exacerbating existing socioeconomic disparities.

Furthermore, the ambiguity surrounding "*memperhatikan*" can hinder practical law enforcement efforts to safeguard workers' rights. Without unequivocal guidelines regarding the interpretation and application of this term, authorities may encounter challenges in holding employers accountable for violations of labor standards. This ambiguity creates a loophole that can be exploited by unscrupulous employers, further exacerbating workers' vulnerability and eroding trust in the legal system.

To address this issue, it is imperative to establish more explicit definitions and guidelines within the legal framework regarding interpreting "*memperhatikan*" in the context of wage policies. This may involve specifying the factors that must be considered in determining fair wages, such as cost of living, industry standards, and labor market conditions. Additionally, robust enforcement mechanisms should be implemented to ensure compliance with labor laws and hold accountable those who exploit ambiguities for their gain.

Although there are regulations such as Government Regulation (PP) Number 51 of 2023 that regulate wages, specifically the minimum wage for workers (Abadi, 2024; Winson et al., 2023), the amendment to Article 92 Paragraph 1 can provide loopholes for companies to disregard these provisions. By interpreting the word "*memperhatikan*" very narrowly, companies can justify setting wages below the standards of Job Creation Law Number 6 of 2023. This means that, despite clear wage rules, ambiguous interpretations of the word "*memperhatikan*" can undermine the validity of Government Regulation (PP) Number 51 of 2023.

As a result, there is uncertainty in protecting workers' rights and fair wage standards. Companies can determine their wage policies without considering the needs and welfare of workers as a whole. This also creates an imbalance of power between workers and employers, which can worsen economic and social inequalities in society. This aligns with previous studies suggesting that when a company's interests are prioritized over those of the workers, it can lead to an unhealthy and uncomfortable work environment, making it difficult to achieve both employee welfare and the economic development of the country (Palmié et al., 2023; Tan et al., 2023; M. Wang & Yan, 2023).

"Istirahat panjang" as Lexical Meaning Ambiguity

The term "*istirahat panjang*" (long break) in Article 81 Paragraph 25 regarding the Amendment of Article 79 Paragraph 5 entails various interpretations. Narrowly defined, the term "*cuti*" (leave) refers to a designated period of rest stipulated clearly within employment. Leave is a right for workers regulated by company regulations or labor laws. It is granted for various reasons, as mentioned in Law Number 13 of 2003 concerning Manpower. Leave serves as a policy to accommodate rest periods for workers after work (Febrianti et al., 2023).

However, in contrast to the previously mentioned term "*cuti kerja*" (work leave), the term "*istirahat panjang*" in the Job Creation Law Number 6 of 2023 raises uncertainty as it can be interpreted in several ways. "*Istirahat panjang*" is a phrase consisting of two words, namely "*istirahat*" means '*berhenti (mengaso) sebentar dari suatu kegiatan (untuk melepaskan lelah); rebat*' (to stop (retire) for a while from an activity (to unwind); rest) and "*panjang*" means '*lama (waktu)*' (length (time) (Badan Pengembangan dan Pembinaan Bahasa, 2016). Then, "*Istirahat panjang*" could be considered more prolonged than usual leave. However, "*istirahat panjang*" could also be employers' euphemism for terminating employment.

This ambiguity in meaning poses a risk of differing interpretations among workers. Workers may perceive "*istirahat panjang*" as an opportunity for an extended break without realizing it could be a sign of termination. On the other hand, companies or employers may exploit the ambiguity by granting "*istirahat panjang*" without providing appropriate compensation.

Consequently, the ambiguity of the term "*istirahat panjang*" can lead to significant injustices within employment relationships. Workers may perceive unfair treatment if they are not granted appropriate entitlements following a period of "*istirahat panjang*." At the same time, employers might argue that they have fulfilled their obligations stipulated by the law. This lack of clarity can incite

conflicts between employees and employers, ultimately fostering uncertainty in the enforcement and interpretation of labor laws.

Such ambiguity undermines the principles of fairness and legal certainty fundamental to effective labor relations. It is essential to precisely define terms within the legal framework to prevent misinterpretations and ensure that workers and employers are fully aware of their rights and obligations. Addressing this issue is crucial to mitigate potential disputes and enhance the overall efficacy of labor legislation.

This is supported by the explanation in Article 81 Paragraph 25 regarding the Amendment of Article 79 Paragraph 5, which states, "*Bagi Perusahaan yang telah memberlakukan istirahat panjang tidak boleh mengurangi dari ketentuan yang sudah ada.*" The phrase "*istirahat panjang*" is not further elaborated, then added with the clause "*tidak boleh mengurangi dari ketentuan yang sudah ada*" which is also ambiguous. This ambiguity arises because the existing provisions are not further explained. Thus, they can be interpreted differently, such as whether it refers to the amendment of Article 79 Paragraph 5, to all provisions of Article 79, or other laws or policies regulating similar matters.

“*Tidak mampu*” as Lexical Meaning Ambiguity

Then, in Article 42 Paragraph 3 regarding the Amendment of Article 4 Paragraph 3, the phrase "*tidak mampu*" (unable) is used to allocate funds for electricity provision. However, the lexical ambiguity within this phrase can result in several interpretations. First, "*tidak mampu*" can be interpreted financially, referring to a group of people who do not have adequate financial ability to pay for electricity costs fully. In this context, the Central Government and Local Governments' funds may be aimed at subsidies or financial assistance for economically disadvantaged groups.

The phrase "*Tidak Mampu*" is a combination of two words: "*tidak*" which functions as a particle expressing denial, rejection, or negation, and "*mampu*" which denotes having the power or ability to do something. According to the KBBI Daring, "*tidak*" signifies 'none' or 'not,' while "*mampu*" means 'capable' or 'able.' When these words are merged, the resulting phrase, "*Tidak Mampu*" is lexically interpreted as a state of powerlessness or incapacity, indicating an inability to perform a particular action.

Importantly, from this lexical analysis, it becomes evident that there is no inherent association with economic capability or specific limitations described within the phrase "*Tidak Mampu*." Instead, the emphasis lies on the general concept of being unable or incapable, without specifying the nature or cause of this inability.

This linguistic understanding underscores the need for contextual interpretation when applying the phrase "*Tidak Mampu*" in practical situations, particularly within legal or socio-economic contexts. While the phrase conveys a sense of incapacity, its precise implications may vary depending on the specific circumstances and the broader context in which it is used.

In the context of social or economic policies, "*Tidak Mampu*" is often understood to refer to individuals or communities facing financial hardship or economic disadvantage. However, this interpretation is not inherently encoded within the phrase itself but rather arises from societal norms and conventions.

Therefore, the phrase "*tidak mampu*" carries a broader connotation beyond financial limitations. While it commonly refers to economic constraints, it can also encompass other forms of inability or incapacity, such as physical or geographical limitations. For instance, individuals or communities may be "*tidak mampu*" to access essential services like electricity due to their remote or inaccessible locations. In such cases, allocating funds toward building electricity infrastructure in these underserved areas can effectively address their needs and improve their quality of life.

However, ambiguity arises when interpreting the term "*masyarakat tidak mampu*" (economically disadvantaged communities) within a legal framework. This ambiguity stems from the lack of clarity regarding the specific conditions or criteria used to define economically disadvantaged communities. Without explicit guidance on who qualifies as economically disadvantaged and how they are identified, there is uncertainty in prioritizing fund allocation and ensuring equitable distribution of resources.

The absence of clear definitions and criteria also hinders the effective implementation of social support programs. Without a precise delineation of the term "*masyarakat tidak mampu*," there is a risk of inconsistencies and biases in resource allocation, potentially leading to disparities in access to assistance and services.

To address these challenges, it is imperative to establish clear definitions and criteria for identifying economically disadvantaged communities within the legal framework. This may involve defining specific indicators of economic hardship, such as income levels, employment status, or access to basic amenities. Additionally, outlining transparent processes for assessing eligibility and allocating funds can enhance accountability and ensure that assistance reaches those most in need. Furthermore, incorporating flexibility into the definition of "*masyarakat tidak mampu*" to encompass various forms of incapacity, including geographical or physical constraints, can broaden the scope of support programs and better address diverse community needs.

“*Paling Lama*” as Lexical Meaning Ambiguity

The phrase "*Paling Lama*" (longest) in the legal context often creates lexical ambiguity requiring deeper interpretation. In the case of Article 17 Paragraph 32 regarding the Amendment of Article 69 Paragraphs 1 to 3, these phrases appear in the context of determining imprisonment and fines for perpetrators of criminal acts that violate spatial planning laws.

The phrase "*Paling Lama*" is composed of two Indonesian words: "*paling*," which translates to 'most' or 'very,' and "*lama*," which means 'long' in terms of duration or length of time. When these words are combined, the lexical interpretation of the phrase "*Paling Lama*" conveys the notion of the utmost duration or the maximum lengthiness.

However, it is crucial to note that the phrase "*Paling Lama*" does not inherently specify a minimum time duration. Instead, it emphasizes the maximum or most extended period. This absence of a specific minimum threshold introduces ambiguity and allows for various interpretations regarding the duration of time.

As a result, the phrase "*Paling Lama*" permits flexibility in understanding, implying that the duration could range from a shorter time to an unrestricted or undefined period. Without explicit clarification within the context of its usage, individuals may interpret the phrase differently, leading to potential discrepancies in its application.

In legal or regulatory contexts, such as the one described, this ambiguity surrounding "*Paling Lama*" can have significant implications. For instance, in enforcing sanctions or penalties, the phrase may be subject to differing interpretations, potentially impacting the severity or duration of consequences for offenders.

Additional guidance or specification within the relevant legal framework may be necessary to address this ambiguity and ensure clarity in interpretation. Clearly defining the parameters or criteria for determining the duration associated with "*Paling Lama*" can help mitigate potential misunderstandings and inconsistencies in its application.

Overall, from Article 17 Paragraph 32 regarding the Amendment of Article 69 Paragraphs 1 to 3, the phrase "*Paling Lama*" carries ambiguous meaning. The phrase "*Paling Lama*" within the relevant legal provision presents an ambiguity that warrants further examination. At face value, it could be construed to imply that each violation outlined carries a maximum specified time limit for imprisonment—three years, four years, and fifteen years, respectively. However, the absence of a specified minimum threshold for imprisonment introduces uncertainty regarding the scope of the phrase.

This ambiguity allows for interpretations wherein perpetrators of criminal acts might argue for exemption from imprisonment, exploiting the lack of clarity surrounding the phrase "*Paling Lama*." Without explicit clarification within the law or relevant regulations, individuals accused of criminal offenses could contest their sentences, asserting that the phrase only pertains to the maximum limit of imprisonment, thus leaving room for shorter sentences or even acquittal.

To address this ambiguity, it is imperative to provide further elucidation within the legal framework regarding the interpretation of "*Paling Lama*." Specifically, clarification is needed to determine whether the phrase exclusively denotes the maximum limit of imprisonment or encompasses both minimum and maximum thresholds. Such clarification would ensure that the punishment meted out to perpetrators of criminal acts aligns with the objectives of law enforcement and the pursuit of justice.

Moreover, the absence of a specified minimum threshold for imprisonment can engender doubts within law enforcement. Judges tasked with determining appropriate punishments may encounter challenges in the absence of clear guidelines, potentially leading to inconsistencies in sentencing. Additionally, this ambiguity may afford opportunities for defense lawyers to capitalize on legal uncertainties, further complicating legal proceedings.

“*Paling Banyak*” as Lexical Meaning Ambiguity

In addition to the ambiguity in the phrase "*Paling Lama*," Article 17 Paragraph 32 regarding the Amendment of Article 69 Paragraphs 1 to 3 also mention that perpetrators of criminal acts can be fined "*Paling Banyak* Rp1.000.000.000,00 (one billion rupiah)," "*Paling Banyak* Rp2.500.000.000,00 (two billion five hundred million rupiah)," and "*Paling Banyak* Rp8.000.000.000,00 (eight billion rupiah)." In this article, researchers also found that the phrase "*Paling Banyak*" is interpreted only as the maximum limit of the fine that can be imposed on perpetrators of criminal acts. With no mention of the minimum fine, it means that the phrase "*Paling Banyak*" could be interpreted to mean that perpetrators of criminal acts can be fined according to the specified maximum limit, less than the maximum limit, or even not fined at all. Like in the case of the phrase "*Paling Lama*," the phrase "*Paling Banyak*" also creates an interpretation gap that perpetrators of criminal acts can exploit.

To address the ambiguity in the phrase "*Paling Banyak*," it is crucial to establish further provisions that specify the minimum threshold of fines that can be imposed on perpetrators of criminal acts. Clear guidelines or additional information are necessary to ensure that the penalties are proportionate to the offenses' severity and provide legal certainty for all parties involved.

By defining a minimum threshold, the law can ensure that penalties are just and effective, deterring potential offenders while maintaining fairness in the judicial process. This clarity would help avoid arbitrary or inconsistent punishments, thereby strengthening the rule of law and enhancing the legal system's credibility. Establishing these provisions is essential for achieving a balanced approach to justice that protects societal interests and upholds legal standards.

Moreover, as in the case of "*Paling Lama*," the lack of clarity regarding the minimum threshold of fines can also hinder the law enforcement process. Judges will struggle to determine the appropriate amount of fines if there are no clear guidelines. This can also provide grounds for lawyers to appeal based on legal uncertainty.

“*Serta harus*” as Grammatical Ambiguity

Placing the conjunction "*serta*" near the modal "*harus*" in the context creates ambiguity in the sentence's meaning. Grammatically, the conjunction "*serta*" connects nouns or other verbs as additions or complements. However, in this case, the presence of the conjunction "*serta*" causes the interpretation of the sentence to be ambiguous.

The ambiguity arises because the conjunction "*serta*" does not directly support the modal meaning of "*harus*" in the sentence. The conjunction "*serta*" indicates an addition or complement, while the modality of "*harus*" asserts obligation or necessity. Combining both in the same sentence leads to inconsistency that complicates interpretation. According to several previous studies on sentence structure in Indonesian, when modality in Indonesian sentences is paired with conjunctions, it can lead to ambiguity in the sentence's meaning (Ayomi & Jayantini, 2022; Herpindo et al., 2022; Inderasari et al., 2021; Muhtadin, 2017; Risaldi et al., 2021; Sa'diyah, 2022).

One interpretation of the sentence is that fixed-term employment agreements can be written using languages other than Indonesian. This interpretation suggests that using Indonesian is not

mandatory in the agreement. However, another interpretation implies that Indonesians are not required to write fixed-term employment agreements, suggesting that the agreement can be entirely in another language.

Such ambiguity poses a severe issue as it contradicts the status of Indonesian as the national language regulated in Article 34 of the 1945 Constitution. The article asserts that Indonesian must be used in official communication and legal documents in Indonesia, including in employment agreements. The conjunction "*serta*" in the sentence can obscure this rule and weaken Indonesian's position in official contexts.

The sentence must be revised to avoid confusion and ensure constitutional compliance. According to the researcher, the incorrect conjunction needs to be removed or replaced with a conjunction more suitable for the modal meaning of "*harus*," such as "*dan*," "*sehingga*," or "*yang*." Thus, the clarity of the sentence's meaning can be maintained, and the principle of Indonesian as the official and national language can be upheld.

“*Diberitahu*” as Grammatical Ambiguity

Article 151 Paragraph (3) demonstrates the potential for different interpretations among individuals, especially regarding the use of the verb "*Diberitahu*" (informed) in this paragraph. The verb "*Diberitahu*" is derived from the base word "*beritahu*," which generally means to convey, announce, inform, or provide information to someone or a specific group. However, in the context of the sentence, "*Diberitahu*" is used in a passive construction, where the doer or agent of the action is not explicitly mentioned.

The verb "*diberitahu*" in Indonesian is a passive construction, derived from the root word "*beritahu*" which means 'to inform'. By adding the passive prefix "*di-*", the verb "*diberitahu*" is formed, indicating that the sentence's subject receives the action of being informed. Grammatically, passive constructions in Indonesian are often used to emphasize the object of an action rather than its doer, and this can sometimes lead to ambiguity, particularly in legal contexts where identifying the actor or agent of the action is crucial for determining legal responsibility.

In the context of labor law, where the termination of employment is a significant event with legal implications, passive constructions like "*diberitahu*" can create uncertainty regarding who is responsible for initiating the termination process. Article 151, Paragraph (3) of Indonesian labor law may exemplify this ambiguity. This paragraph discusses the notification process regarding termination of employment, but it does not explicitly state who informs the employee about the termination. Instead, it simply uses the passive construction "*diberitahu*," leaving the actor or agent implied.

This ambiguity can have practical implications. For instance, if the employer initiates the termination, the employer is responsible for informing the employee. However, if the termination is initiated by a third party, such as a labor union, the legal responsibilities may differ. Without explicit clarification in the text, there is room for misinterpretation and potential legal disputes regarding who is responsible for the termination process.

Furthermore, the ambiguity surrounding the verb "*diberitahu*" can extend beyond legal contexts to broader societal implications. In everyday communication, passive constructions are commonly used to shift the focus away from the action's doer. However, this can sometimes obscure accountability and create confusion about who is responsible for specific actions or decisions.

To address this ambiguity, it is essential to consider the broader linguistic and legal contexts, in which passive constructions are used. Precision and clarity are paramount in legal documents to ensure all parties understand their rights and responsibilities. Therefore, when drafting legal texts, including labor laws, it is crucial to explicitly identify the actor or agent of the action, especially in contexts where legal responsibility is at stake.

In Article 151, Paragraph (3), clarifying the actor's identity would provide greater legal certainty and minimize the potential for misunderstandings or disputes. This could be achieved by explicitly stating whether the employer, a labor union, or another party is responsible for informing the employee about the termination.

Additionally, providing guidelines or standardized procedures for termination notifications in labor laws could help reduce ambiguity and ensure consistency in practice. By establishing clear protocols for communication and notification processes, labor laws can better protect the rights of both employers and employees and promote fairness and transparency in the workplace.

In this study, lexical and grammatical meaning ambiguities in the Job Creation Law No. 6 of 2023 have been identified. Ambiguities in lexical meaning are found in several words and phrases, including the words '*dapat*' (can), '*memperhatikan*' (consider), the phrase '*tidak mampu*' (unable), '*istirahat panjang*' (long rest), '*Paling Banyak*' (most), and '*Paling Lama*' (longest). The use of these words in the context of the law creates ambiguity in interpretation, thus affecting the application of the law. There are also grammatical ambiguities in the phrases '*Serta harus*' (as well as must) and '*Diberitahu*' (informed), which can lead to an incorrect interpretation of the statutory provisions. These findings suggest that there is a need for a review or improvement in the writing of the law to avoid ambiguities that may interfere with the application of the law in the community.

These findings resonate with a significant body of existing forensic linguistics literature that discusses the impact of linguistic ambiguities on the application and interpretation of legal texts. Legal scholars have long emphasized the importance of clarity in legal language to ensure consistent application (Aleifan & Al Saleh, 2024). The lexical ambiguities found in this study, such as the word '*dapat*' (can) and the phrase '*istirahat panjang*' (long rest), are indicative of potential legal misinterpretations that have been noted in previous studies on Indonesian legal language, such as in Indar et al., (2021) research on the Employment Law.

In line with Aleifan & Al Saleh (2024) research on legal language, which posits that legal texts often use indeterminate language to provide flexibility, the presence of terms like "dapat" (can) in this study illustrates the risks posed by such indeterminacy. Not only Aleifan & Al Saleh (2024), but also Bernardo & Albaña-Garrido (2023), Elieba (2020), and Jia (2022) argue that while some ambiguity in law is deliberate to allow for broader interpretation by judges, excessive lexical ambiguity can undermine legal certainty, particularly in contexts where it can be exploited to manipulate legal outcomes. This study contributes to the discourse by showing how the lexical ambiguities in Indonesia's Omnibus Law could create inconsistencies in judicial rulings, further emphasizing the need for clearer legal drafting.

Moreover, the results align with Hatami et al.'s (2022) work on ambiguity in legal texts, which demonstrated how vague language often leads to varying interpretations, depending on the socio-political context. The study's findings on the ambiguity of "*paling banyak*" (most) and "*paling lama*" (longest) echo similar concerns found in exploration of comparative legal systems, where such quantifiers are shown to have different meanings depending on how they are interpreted by courts and legal professionals. This raises concerns about potential disparities in enforcement across different regions of Indonesia, a point previously highlighted in research by Budiarto (2022) on digital forensic evidence in Indonesian courts.

Additionally, Irnawati & Ardianti's (2023) study on lexical ambiguities in Indonesian law similarly found that vague terms in employment regulations, such as "*dapat*," led to confusion in judicial interpretations. This study builds on Irnawati & Ardianti's (2023) findings by expanding the analysis to include other lexical terms, such as "*memperhatikan*" (consider) and "*tidak mampu*" (unable), which also present ambiguities in the Omnibus Law. Such terms, while seemingly innocuous, could have substantial implications when applied in court, particularly in disputes over labor rights or contract interpretation.

When comparing this study to research conducted in other countries, Smith (2021) explored how lexical ambiguity in U.S. laws led to protracted legal disputes over employee rights. The findings from Indonesia reflect a similar pattern, where lexical vagueness in laws concerning employment and social welfare could lead to inconsistent application, depending on the interpretive approach of the judiciary. Smith (2021) underscores the importance of linguistic clarity in law to prevent protracted litigation and ensure equitable treatment of stakeholders—a recommendation that can be applied to the Indonesian context, as shown in this study.

CONCLUSION

This study identifies lexical and grammatical ambiguities in the Omnibus Law on Job Creation Number 6 of 2023. Lexical ambiguity was found in several words and phrases, including the words 'dapat' (can), 'memperhatikan' (consider), the phrase 'tidak mampu' (unable), 'istirahat panjang' (long rest), 'Paling Banyak' (most), and 'Paling Lama' (longest). Using these words in the context of the law creates uncertainty in interpretation, thus affecting its legal application. Additionally, grammatical ambiguities in the phrases 'Serta harus' (as well as must) and 'Diberitahu' (informed) can lead to inaccurate interpretations of legal provisions. Lexical and grammatical ambiguities were found in specific articles of the Omnibus Law on Job Creation Number 6 of 2023. Lexical ambiguity exists in Article 17, Paragraph 1, Article 81, Paragraph 33, Article 81, Paragraph 25, Article 42, Paragraph 3, Article 17, Paragraph 32, and the explanation section of Article 8, Paragraph 33. Meanwhile, grammatical ambiguities exist in Article 81 Paragraph 1 and the wording of Article 151 Paragraph 3. These findings indicate the need for review or improvement in drafting laws to avoid ambiguities that can disrupt the implementation of laws in society. This study is limited to how micro-discourse structures are presented in the Omnibus Law on Job Creation Number 6 of 2023. Further research can focus on macro-discourse structures not addressed in this study. Critical reviews are also feasible, considering that the Omnibus Law on Job Creation Number 6 of 2023 intersects with various fields, making critical reviews necessary.

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