

Lexical Density in UU Cipta Kerja: A Case Study of Controversial Articles

Marlia^{1,*} Iwa Lukmana¹ Wawan Gunawan¹

¹*Linguistics Study Program, Universitas Pendidikan Indonesia, Bandung, Indonesia*

*Corresponding author. Email: marlia@unpas.ac.id

ABSTRACT

This research describes the lexical density in the controversial articles from the UU Cipta Kerja. This study used a qualitative approach by adopting the notion of Halliday's lexical density method. The results of the analysis show that controversial articles which are contained in Chapter IV concerning Employment in the UU Cipta Kerja have a very high lexical density index, namely 10,81. The high lexical density index contained in these articles indicates the high formality of the text so that there is a tendency for readers to be difficult to understand, especially for the laypeople. Therefore, it is necessary to simplify the legal language to improve the reader's understanding in order to realize obedience and legal order as a whole.

Keywords: *lexical density, controversial articles, UU Cipta Kerja.*

1. INTRODUCTION

Laypeople difficult to understand legal language. There is a tendency due to the complexity of the language used [1]; [2]; [14]; [22];[23]. Susette said that "Legal writing is further complicated by: ultra-long sentences, complex language constructions, massive amounts of content, needed or not" [17]. John added that "Legal writing is one of the most complicated and ambiguous languages for the common person to understand" [10].

The complexity of a text can be known through lexical density analysis. Lexical density is a formula that can be used to analyze a text. In addition, lexical density is a measure to compare the number of content words and function words in a text [20]. Lexical density is linguistically related to word content. As it is known that according to its function, vocabulary can be categorized into content words and function words. The content word has meaning and referent, while the function word has a function in the formation of grammar [13]. Lexical density can be seen from the proportion of lexical words to the whole discourse. Thus, the lexical density can be found by calculating the ratio between the lexical word and the number of clauses [4]. In addition, the lexical density in question is dense in information and lexical words. Information is compressed through simplex clauses and nominalization. On the side of the simplex clause, the compressed information can be in the form of an

embedding clause, a prepositional phrase, or on the subject/complementary element. On the nominalization side, information compaction occurs at the lexis level. Nominalization is an attempt to distinguish from, for example, process (verb), condition (adjective), circumstance (adverb), and logic (conjunction). Condensation of information through nominalization is often an incongruent lexis disclosure involving grammatical metaphors [24].

The high lexical density in legal texts does not necessarily indicate the reader's understanding. It is proven by the fact that there are still many the laypeople who cannot understand the legal language easily.

Several studies show that the use of Indonesian in the legal document still needs to be improved. Many foreign terms, especially Dutch and English, whose meanings are poorly understood and inconsistent, have inaccurate diction, long and convoluted sentences [11]. Most Indonesians feel that the legal language in Indonesia is confusing and too difficult to understand. Legal language is considered inflexible, rigid, the sentences are too long so that the reader has to repeat several times to find out what it means [8]. Problems that arise in legal language, among others, are caused by legal experts formulating or describing something in long sentences with many clauses, using special terms without explanation, using double or vague terms, using foreign terms, reluctant to shift from the format that has been established exists [7]. This is certainly an

indication that the legal language is so complex that it is difficult to understand, especially for the laypeople.

Several studies related to lexical density show that the lexical density of a material/reading (in this case, the local content textbook of the Madurese language for grade VI SD) can affect the reader (student) in understanding the reading material. If the material is grammatically configured, allow the text to be less difficult to understand. Meanwhile, if the text contains many lexical items, then the text can be categorized as difficult text. The number of lexical items in a text can indicate the level of difficulty of the text. The more lexical items, the more difficult the text to understand. [13]. Syarif found that the level of lexical density decreased due to the number of complex clauses used. In addition, the results of data analysis also show that there is a significant relationship between lexical density and grammatical complexity [18]. Furthermore, Ramadhan shows that the level of lexical density in written texts tends to be high while the level of grammatical complexity in written texts tends to be low. Therefore, written text contains more information because of the high number of lexical items as a comparison of the total number of words and uses simple grammar because of the low number of clauses per sentence. Spoken texts contain less information due to the low number of lexical items (lexical items) in comparison to the total number of words and use complicated grammar due to the high number of clauses per sentence [16]. Putra and Lukmana showed that all the textbooks studied had consistent lexical density, lexical variation, and grammatical complexity from one grade level to another [15].

The findings from previous studies generally show that legal language is complex and difficult to understand, but the study has not shown the level of complexity from the lexical density perspective. The study is more focused on the use of diction and sentences used without measuring the level of lexical density so that they tend to be less valid. Similarly, previous research findings related to lexical density, generally only analyze the lexical density of textbooks/teaching materials, not yet analyze lexical density in legal documents.

Thus, in this study, we will try to examine the lexical density in legal documents, in this case the UU Cipta Kerja which had become a controversial law, especially among workers. Lexical density is used to find the level of lexical density so that it can show how high the complexity of the language contained in legal documents is. Through this study, it is hoped that it can become input, especially for policymakers in legal documents.

Lexical Density

According to Johansson the term lexical density is used in text analysis to describe the proportion of lexical elements or content word (nouns, verbs, adjectives, and adverbs) to the total number of words [9]. Halliday asserts that lexical density is a measure of the density of information in each part of the text, based on how tightly the lexical elements (content words) have been packed into the grammatical structure [4]. Thornbury and Slade add that lexical density is a measure of the ratio of the content words of the text to its function words [20].

In line with the opinion above, Wiratno explains that texts that have lexical density contain more lexical words or content words (nouns, verb-predicators, adjectives, and certain adverbs) rather than structural words (conjunctions, articles, prepositions, etc.) [24].

“To measure lexical density, simply divide the number of lexical items by the number of ranking clauses” [5]. Thus, to calculate the lexical density proposed by Halliday, it can be described as follows.

$$\text{Lexical Density} = \frac{\text{number of lexical items}}{\text{numbers of ranking clauses}}$$

The lexical density of a text can be found by counting the number of content words in the text as a proportion of all the words in the text. Content words consist of nouns, verbs, adverbs and adjectives. Meanwhile, non-content words consist of prepositions, conjunctions, auxiliary verbs and pronouns [3].

The formula proposed by Halliday related to lexical density in this study will be used to calculate the lexical density contained in legal language and legal language after the implementation of plain language.

2. METHOD

This research examines the use of language in the context of legal texts. By considering the context, the researchers used a qualitative approach. The reason for using a qualitative approach is that the data in this study is loaded with the realization of the meaning of legal clauses. The interpretation of the realization of the meaning in the form of clauses in the legal document (UU Cipta Kerja) requires a close interpretation so as not to cause ambiguity for the readers. In order not to deviate from the essence of this research, the researcher will describe the legal document (UU Cipta Kerja) using the idea of lexical density so that the linguistic evidence obtained becomes meaningful in the development of legal language.

The data in this study is UU Cipta Kerja, which consists of 15 chapters and 186 articles. It regulates

employment to the environment. There are several articles that are considered problematic and controversial in Chapter IV concerning Manpower of the UU Cipta Kerja, namely Article 59 concerning contract workers, Article 77 concerning working hours, Article 78 concerning overtime provisions, Article 79 concerning leave and rest rights [19]. Thus, the primary data in this study will also be focused on these controversial articles.

The text of the UU Cipta Kerja is obtained by downloading it on a trusted page, namely <https://jdih.setneg.go.id/Produk>. The data that has been obtained will be analyzed in the following order: (1) identify lexical words/content words; (2) counting lexical words/content words; (3) identify clauses; (4) counting the number of clauses; (5) calculate lexical density by adopting Halliday's method [21] with the following formula.

$$\text{Lexical Density} = \frac{\text{Number of Lexical Items}}{\text{Numbers of Ranking Clauses}}$$

3. RESULTS AND DISCUSSION

Data were analyzed based on Halliday's method. Thus, the order of the first study is to identify and count the lexical words contained in the controversial articles of the UU Cipta Kerja. Article 59 concerning contract workers contains:

15. Ketentuan Pasal 59 diubah sehingga berbunyi sebagai berikut:

- Pasal 59
- (1) Perjanjian kerja untuk waktu tertentu hanya dapat dibuat untuk pekerjaan tertentu yang menurut jenis dan sifat atau kegiatan pekerjaannya akan selesai dalam waktu tertentu, yaitu sebagai berikut:
 - a. pekerjaan yang sekali selesai atau yang sementara sifatnya;
 - b. pekerjaan yang diperkirakan penyelesaiannya dalam waktu yang tidak terlalu lama;
 - c. pekerjaan yang bersifat musiman;
 - d. pekerjaan yang berhubungan dengan produk baru, kegiatan baru, atau produk tambahan yang masih dalam percobaan atau penjajakan; atau
 - e. pekerjaan yang jenis dan sifat atau kegiatannya bersifat tidak tetap.
 - (2) Perjanjian kerja untuk waktu tertentu tidak dapat diadakan untuk pekerjaan yang bersifat tetap.
 - (3) Perjanjian kerja untuk waktu tertentu yang tidak memenuhi ketentuan sebagaimana dimaksud pada ayat (1) dan ayat (2) demi hukum menjadi perjanjian kerja waktu tidak tertentu.
 - (4) Ketentuan lebih lanjut mengenai jenis dan sifat atau kegiatan pekerjaan, jangka waktu, dan batas waktu perpanjangan perjanjian kerja waktu tertentu diatur dalam Peraturan Pemerintah.

16. Ketentuan ...

SK No 052042 A

Figure 1 Article 59: Contract Workers

Article 77 concerning working hours contains:

21. Ketentuan Pasal 77 diubah sehingga berbunyi sebagai berikut:

- Pasal 77
- (1) Setiap pengusaha wajib melaksanakan ketentuan waktu kerja.
 - (2) Waktu kerja sebagaimana dimaksud pada ayat (1) meliputi:
 - a. 7 (tujuh) jam 1 (satu) hari dan 40 (empat puluh) jam 1 (satu) minggu untuk 6 (enam) hari kerja dalam 1 (satu) minggu; atau
 - b. 8 (delapan) jam 1 (satu) hari dan 40 (empat puluh) jam 1 (satu) minggu untuk 5 (lima) hari kerja dalam 1 (satu) minggu.
 - (3) Ketentuan waktu kerja sebagaimana dimaksud pada ayat (2) tidak berlaku bagi sektor usaha atau pekerjaan tertentu.
 - (4) Pelaksanaan jam kerja bagi pekerja/buruh di perusahaan diatur dalam perjanjian kerja, peraturan perusahaan, atau perjanjian kerja bersama.
 - (5) Ketentuan lebih lanjut mengenai waktu kerja pada sektor usaha atau pekerjaan tertentu sebagaimana dimaksud pada ayat (3) diatur dalam Peraturan Pemerintah.

22. Ketentuan ...

SK No 052045 A

Figure 2 Article 77: Working Hours

Article 78 concerning the overtime provisions contains:



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22. Ketentuan Pasal 78 diubah sehingga berbunyi sebagai berikut:

- Pasal 78
- (1) Pengusaha yang mempekerjakan pekerja/buruh melebihi waktu kerja sebagaimana dimaksud dalam Pasal 77 ayat (2) harus memenuhi syarat:
 - a. ada persetujuan pekerja/buruh yang bersangkutan; dan
 - b. waktu kerja lembur hanya dapat dilakukan paling lama 4 (empat) jam dalam 1 (satu) hari dan 18 (delapan belas) jam dalam 1 (satu) minggu.
 - (2) Pengusaha yang mempekerjakan pekerja/buruh melebihi waktu kerja sebagaimana dimaksud pada ayat (1) wajib membayar upah kerja lembur.
 - (3) Ketentuan waktu kerja lembur sebagaimana dimaksud pada ayat (1) huruf b tidak berlaku bagi sektor usaha atau pekerjaan tertentu.
 - (4) Ketentuan lebih lanjut mengenai waktu kerja lembur dan upah kerja lembur diatur dalam Peraturan Pemerintah.

Figure 3 Article 78: the Overtime Provisions

Article 79 concerning leave and rest rights contains:



- b. istirahat mingguan 1 (satu) hari untuk 6 (enam) hari kerja dalam 1 (satu) minggu.
- (3) Cuti sebagaimana dimaksud pada ayat (1) huruf b yang wajib diberikan kepada pekerja/buruh, yaitu cuti tahunan, paling sedikit 12 (dua belas) hari kerja setelah pekerja/buruh yang bersangkutan bekerja selama 12 (dua belas) bulan secara terus menerus.
- (4) Pelaksanaan cuti tahunan sebagaimana dimaksud pada ayat (3) diatur dalam perjanjian kerja, peraturan perusahaan, atau perjanjian kerja bersama.
- (5) Selain waktu istirahat dan cuti sebagaimana dimaksud pada ayat (1), ayat (2), dan ayat (3), perusahaan tertentu dapat memberikan istirahat panjang yang diatur dalam perjanjian kerja, peraturan perusahaan, atau perjanjian kerja bersama.
- (6) Ketentuan lebih lanjut mengenai perusahaan tertentu sebagaimana dimaksud pada ayat (5) diatur dengan Peraturan Pemerintah.

Figure 4 Article 79: Leave and Rest Rights

Based on these articles, the lexical words contained in the controversial articles of the UU Cipta Kerja are 335 words. Article 59 consists of 96 lexical words, Article 77 consists of 64 lexical words, Article 78 consists of 68 lexical words, and Article 79 consists of 107 lexical words. Lexical words in these articles are dominated by 204 nouns, followed by 75 verbs, 33 adverbs, and 23 adjectives. Analysis details are attached.

Next, the order of the study of lexical density based on Halliday's method is to identify and count the number of clauses. Amount of clauses contained in the controversial articles of the UU Cipta Kerja is 31 clauses. The details are Article 59 with 10 clauses, Article 77 with 6 clauses, Article 78 with 6 clauses, and Article 79 with 9 clauses. Analysis details are attached.

Based on the amount of lexical words and the clauses, the following is the lexical density analysis for the controversial articles of the UU Cipta Kerja.

Table 1 Lexical Density per Article of UU Cipta Kerja

Article	ΣLexical Word	ΣClause	Lexical Density
Article 59 concerning Contract Workers	96	10	96/10 = 9.6
Article 77 concerning Working Hours	64	6	64/6 = 10.7
Article 78 concerning Overtime Provisions	68	6	68/6 = 11.3
Article 79 concerning the Right to Leave and Rest	107	9	107/9 = 11.9

Table 2 Lexical Density Controversial Articles of UU Cipta Kerja

Article	ΣLexical Word	ΣClause	Lexical Density
Controversial articles	335	31	335/31 = 10.81

Based on the analysis of the lexical density measurement using Halliday's method, it shows that Article 59 concerning Contract Workers, Article 77 concerning Working Hours, Article 78 concerning Overtime Provisions, Article 79 concerning Leave and Rest Rights contained in Chapter IV concerning Manpower of the UU Cipta Kerja has a very high lexical density index, namely 10.81. The high lexical density index contained in these articles shows the high formality of the text. Halliday explained that the typical average lexical density can be seen from the index, depending on the formality of the text. The higher the index of a text, the more difficult the text is. The average lexical density in written text is between 3 and 6 [21].

This shows that the text is difficult to understand. High lexical density makes the text difficult to read but more informative, while low lexical density makes the text easy to read but less informative [4]. In addition, the more scientific a text, the greater the content of lexical words/content words [6]; [12]. This is relevant to the large number of lexical words contained in these articles.

The high lexical density in these articles indicates that the legal language is difficult to understand, especially by laypeople so that misunderstandings can occur in interpreting it. Therefore, simplicity of thinking and word processing skills must be possessed by legal

product makers because if they preserve the uniqueness of legal language without considering public understanding, then the laws that have been made are only understood by legal practitioners [8]. This will make it difficult to enforce compliance and rule of law as a whole, as expressed by Hartini if community members do not understand the meaning of the formulated legal provisions, it can be assumed that the legal rules cannot be implemented. Likewise, if the law is not clearly formulated and the implementers in the field do not understand it, this will clearly have an impact on the quality of law enforcement [8].

4. CONCLUSION

The conclusion in this study is that article 59 concerning contract workers, article 77 concerning working hours, article 78 concerning the overtime provisions, article 79 concerning the right to leave and the rest contained in Chapter IV concerning Employment of UU Cipta Kerja has a high lexical density so that it can be categorized in scientific texts that are difficult to read, especially for the laypeople.

Therefore, it is necessary to simplify the legal language to increase its readers' understanding and realize legal compliance and order. One of the efforts that can be made to increase the reader's understanding of legal texts is to reduce the level of lexical density of legal language so that the laws made are more effective, especially in public comprehension.

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