

Plain language in legal drafting: challenges and opportunities in Indonesian regulatory reform

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ABSTRACT

Background: The complexity of Indonesian legal drafting has long undermined public accessibility, as most statutes and regulations remain unreadable for the majority of citizens. **Objective:** The purpose of this research is to examine the challenges and opportunities of implementing plain language in Indonesian regulatory reform. **Method:** Using a mixed-method design, this study integrates readability analysis, syntactic complexity assessment, and discourse analysis on a corpus of statutory and regulatory texts. **Results:** The results show that Indonesian legal documents record very low readability scores, requiring graduate-level comprehension, and exhibit entrenched structural obstacles such as long sentences, passive constructions, and nominalizations. Discourse analysis further reveals that legal texts reproduce authority through formulaic expressions and intertextual references, limiting inclusivity and citizen engagement. However, plain language guidelines introduced by national agencies demonstrate that reform is feasible, offering pathways toward more accessible and participatory lawmaking. **Implication:** The implication of this study is that plain language reform is not merely a linguistic choice but a necessary institutional transformation for democratic governance. **Novelty:** This study highlights how entrenched linguistic and discursive conventions in Indonesian legal drafting limit public accessibility while demonstrating the transformative potential of plain language for more inclusive and participatory governance.

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1. INTRODUCTION

Plain language in legal drafting has become a pressing issue in Indonesia's regulatory reform, where the majority of statutes and government regulations remain inaccessible to ordinary citizens. The World Bank notes that in 2021 more than 60% of Indonesians struggle to understand legal documents due to overly complex wording and technical jargon. Similarly, a survey by BPHN in 2022 revealed that 72% of respondents considered regulatory texts "difficult to read" and often required legal intermediaries to interpret their rights and obligations. Cases of public misunderstanding—such as disputes over the Omnibus Law in 2020—highlight how unreadable legal texts fuel distrust and social tension. These facts demonstrate that language barriers are not merely linguistic but socio-political, undermining democratic participation. Thus, the urgency of studying plain language in Indonesian legal drafting lies in its potential to bridge the gap between lawmaking institutions and citizens, ensuring inclusivity, clarity, and public trust.

Research on plain language in legal drafting has been growing internationally, with studies in Australia, Canada, and the European Union showing how simplified legal communication enhances

compliance and transparency [1], [2], [3]. Recent works also emphasize readability testing and syntactic analysis to measure complexity in statutory texts [4], [5]. In Indonesia, however, scholarship remains limited, often descriptive rather than empirical. While a few studies address legal language reform, they tend to focus on policy-making or translation rather than linguistic structures and readability indices [6], [7]. Moreover, little is known about how discourse conventions in Indonesian legal genre sustain authority and exclusion. This gap suggests that despite the growing global discourse on plain language, Indonesia lacks systematic, data-driven research connecting readability, syntax, and discourse analysis to the broader project of regulatory reform. Addressing this lacuna is the central motivation of this study.

This study aims to critically examine the challenges and opportunities of adopting plain language in Indonesian legal drafting, with a focus on laws and regulations that exemplify dense, technical, and exclusive linguistic practices. This research addresses three interrelated questions: (1) To what extent are Indonesian statutes and government regulations readable when assessed using quantitative readability metrics? (2) What syntactic and structural obstacles hinder the adoption of plain language in legal drafting? (3) How does the discourse of legal genre reproduce authority and exclusivity, and in what ways might plain language reshape this relationship? By framing these questions, this study positions itself not only within linguistic inquiry but also within regulatory reform debates, linking textual practices to broader issues of transparency, participation, and justice in Indonesia's evolving democratic governance.

This research argues that adopting plain language in Indonesian legal drafting could significantly enhance public accessibility and strengthen democratic legitimacy. Preliminary evidence suggests that the majority of regulations exceed acceptable readability thresholds, with average sentence lengths above 30 words and frequent use of passive constructions. By contrast, simplified drafts and plain language guidelines issued by Bappenas and BPHN point to feasible models of reform. The implications are twofold: linguistically, plain language offers tools for reducing syntactic complexity and improving readability; institutionally, it provides an avenue for legal reform aligned with principles of transparency, accountability, and citizen participation. Thus, this study contends that plain language is not merely a stylistic preference but a transformative approach to regulatory governance. Testing this argument through readability analysis, syntactic complexity measures, and discourse analysis will clarify both the obstacles and the possibilities of institutionalizing plain language in Indonesia.

2. LITERATURE REVIEW

2.1. Plain language

The first concept central to this study is *plain language*, a communicative approach that prioritizes clarity, brevity, and accessibility in legal and bureaucratic texts. The International Plain Language Federation (2022) defines plain language as communication that users can easily find, understand, and use. Yet, definitions vary depending on disciplinary perspectives. For linguists, plain language is primarily a matter of syntax and lexicon, focusing on reducing complexity and technicality [6]. For legal scholars, however, it is a normative reform tool aimed at democratizing law by reducing exclusionary jargon [7]. This definitional difference highlights a tension: while language specialists stress cognitive ease, lawyers emphasize institutional legitimacy. Recent debates also caution against oversimplification, which might risk altering legal precision [8], [9]. In sum, plain language is both a linguistic and legal reform concept, whose meaning shifts between accessibility, accuracy, and authority depending on scholarly emphasis.

Plain language scholarship identifies several key aspects or indicators [10], [11]. First, *readability* metrics such as Flesch–Kincaid and Gunning Fog Index are widely used to quantify accessibility. Second, *sentence structure* is critical: shorter sentences, active voice, and direct expressions increase comprehensibility. Third, *terminology simplification*—replacing technical legal phrases with everyday equivalents—has proven effective in bridging the gap between legal drafters and citizens. Fourth, *document design* and layout are increasingly recognized as vital components of plain language, as visual presentation enhances reader navigation. Finally, *audience testing* through usability studies ensures that reforms reflect public comprehension rather than expert assumptions. Collectively, these indicators reflect a multidimensional framework: plain language is not simply about “simpler words,” but about integrating linguistic, structural, and design considerations to ensure texts are both legally valid and socially accessible. This multidimensionality underpins contemporary plain language reform efforts globally.

2.2. Legal drafting

The second concept central to this study is *legal drafting*, broadly defined as the process of formulating statutes, regulations, and contractual instruments in written form. According to Puspawati (2025), legal drafting is both a technical and rhetorical act, requiring precision to ensure enforceability and predictability [12]. Yet, definitions diverge across jurisdictions. Anglo-American traditions emphasize “plain meaning” rules and the role of drafting in statutory interpretation [13], while civil law traditions treat drafting as codification within hierarchical legal systems [14]. In Indonesia, legal drafting is shaped by Law No.

12/2011 on the Formation of Legislation, which prescribes formal structures and technical terminology. However, critics argue that Indonesian legal drafting remains overly rigid, privileging legal experts over public comprehension [15], [16]. Thus, while legal drafting is universally understood as a technical necessity, its conceptual framing oscillates between precision, formality, and accessibility, depending on institutional and cultural contexts.

Literature on legal drafting highlights multiple categories or indicators [17]. *Clarity* is a universal benchmark, emphasizing avoidance of ambiguity and vagueness. *Consistency* in terminology and structure is also vital to reduce interpretive disputes. In addition, *formality* reflects the symbolic authority of legal texts but often conflicts with accessibility. From a procedural perspective, *participatory drafting*—involving stakeholders and public consultation—is increasingly recognized as an essential aspect of modern regulatory governance. Another important indicator is *intertextuality*, since legal drafting is rarely standalone but often refers to other statutes, regulations, or precedents. Finally, *efficiency* in drafting reflects not only linguistic economy but also institutional cost-effectiveness. Collectively, these aspects show that legal drafting is both a linguistic practice and a governance mechanism, requiring balance between precision, legitimacy, and inclusivity [18]. This balance remains a persistent challenge in Indonesian regulatory contexts.

2.3. Regulatory reform

The third concept relevant to this study is *regulatory reform*, defined as deliberate efforts to improve the design, quality, and effectiveness of regulations. The OECD describes regulatory reform as enhancing governance through simplification, transparency, and accountability [19], [20]. Yet, interpretations differ across contexts. In developed economies, reform is often linked to reducing administrative burdens and increasing efficiency [21], [22]. In emerging economies, however, reform is framed as improving legal certainty and public trust [23], [24]. In Indonesia, regulatory reform is associated with the post-reformasi democratization agenda, emphasizing harmonization of overlapping regulations and increased citizen participation [25]. Nonetheless, tensions persist: reform may risk superficial streamlining without substantive change if institutional cultures remain rigid. Thus, while regulatory reform universally connotes improvement, its specific meaning varies—ranging from efficiency-driven in OECD countries to democratization-driven in transitional democracies like Indonesia. This divergence illustrates why regulatory reform is both a technical and political project.

Regulatory reform is multidimensional, with several indicators highlighted in the recent literature [14]. *Transparency* ensures that the rationale, content, and process of regulation are open to public scrutiny. *Accountability* demands mechanisms to hold regulatory agencies responsible for outcomes. *Simplification* involves eliminating redundant or conflicting rules to reduce legal uncertainty. Another indicator is *participation*, where citizens and stakeholders contribute to drafting and revising regulations. *Effectiveness* measures whether regulations achieve intended social and economic objectives without disproportionate costs. Finally, *accessibility*—in both linguistic and procedural terms—is increasingly recognized as essential, with plain language seen as a concrete strategy for realizing this goal (Redish, 2020). These aspects reveal that regulatory reform is not solely about institutional redesign but about embedding inclusivity, efficiency, and trust in governance. This framework underscores why plain language reform is integral to the broader agenda of Indonesian regulatory transformation.

3. METHOD

The unit of analysis for this study consists of statutory and regulatory texts in Indonesia that exhibit formal, complex, and technical legal language. The corpus is designed to include not only primary legislation (laws and government regulations) but also secondary texts such as revised drafts, public consultation papers, and plain language guidelines issued by national institutions. This diverse corpus ensures that both traditional and simplified legal texts can be systematically compared [9], [26], [27]. The selection criteria are based on relevance to regulatory reform, frequency of public discussion, and availability of official documentation. As shown in Table 1, the corpus includes multiple genres of legal documents from authoritative databases, ensuring validity and comprehensiveness for analysis. This corpus balances official legal texts, reform drafts, and guidelines, providing a robust material base for systematic linguistic and discourse analysis.

This research design is qualitative-quantitative (mixed-method), combining textual linguistics with empirical measurement of readability and complexity. A comparative design is applied to juxtapose conventional legal drafting with its plain language alternatives. This choice is grounded in prior research showing the value of combining statistical readability measures with discourse-oriented interpretation [27]. Quantitative elements involve readability indices such as Flesch–Kincaid and Gunning Fog, while qualitative elements include syntactic complexity analysis and discourse analysis of legal genre. The design also follows a case-study orientation, focusing on selected Indonesian statutes and regulations frequently debated in reform contexts, such as the Omnibus Law and regulatory harmonization projects. By triangulating these

approaches, this study not only measures accessibility numerically but also interprets the socio-legal implications of language practices. This design is appropriate for capturing the multifaceted nature of plain language reform as both a linguistic intervention and a regulatory transformation project.

Table 1. Unit analysis of research

Type of Document	Example	Source
Statutory law	UU No. 12/2011 on Lawmaking; UU No. 13/2022 on Legislative Process	jdi.h.setneg.go.id; peraturan.bpk.go.id
Government Regulation	PP No. 59/2016 on Legal Aid	jdi.h.setneg.go.id
Ministerial Regulation	Permenkumham No. 20/2021 on Regulatory Drafting	jdi.h.kemenkumham.go.id
Draft revisions	Draft Omnibus Law revisions, Naskah Akademik BPHN	arsip BPHN
Consultation documents	Bappenas public consultation toolkit (2021)	bappenas.go.id
Plain language toolkits	BPHN module on citizen-friendly legislation	bphn.go.id
Judicial interpretation	Constitutional Court Decisions on statutory interpretation	mahkamahkonstitusi.go.id

The sources of information are both primary and secondary. Primary sources include official legal documents collected from authoritative repositories such as the State Secretariat (JDIH Setneg), the National Law Development Agency (BPHN), and Bappenas. These documents represent the most reliable textual data for analysis. Secondary sources include academic articles, government reports, and international best-practice guidelines on plain language drafting. International resources such as the OECD Regulatory Policy Outlook (2021) and the International Plain Language Federation's standards are also integrated to situate Indonesia's reform within a global context. Additionally, court decisions, particularly from the Constitutional Court, provide insights into interpretive consequences of legal drafting. Academic literature, such as studies by Lin et al (2023) and Griffin and Roemling (2024), supports the theoretical and methodological framework [9], [26]. This combination of primary and secondary sources ensures both empirical validity and conceptual rigor, allowing this study to situate Indonesian regulatory reform within broader theoretical and comparative frameworks.

Data collection was conducted through systematic sampling from official databases between January and May 2025. First, statutory texts were selected based on criteria: regulatory significance, public controversy, and relevance to reform discourse. Second, plain language versions, if available, were collected from consultation drafts, academic papers, or government toolkits. Third, supplementary guidelines were retrieved from BPHN and Bappenas portals. Each text was archived, coded, and classified into categories such as "formal drafting," "plain language draft," and "guideline/toolkit." To enhance reliability, multiple repositories were cross-checked to ensure the authenticity of texts. Where revisions or multiple versions existed, the most recent was prioritized. The collection process followed best practices in corpus-based legal linguistics [9], ensuring that texts are both representative and traceable. All documents were digitized, converted into analyzable text format (UTF-8), and segmented into paragraphs or clauses for subsequent linguistic and readability testing. This process ensures systematic, replicable data preparation.

Data analysis followed a three-stage process integrating quantitative and qualitative methods. First, *readability analysis* was applied using indices such as Flesch Reading Ease, Flesch–Kincaid Grade Level, and Gunning Fog Index. This step quantified accessibility levels, with scores compared against international readability benchmarks. Second, *syntactic complexity analysis* identified structural barriers: sentence length, clause density, passive constructions, and nominalizations, following methodologies in legal linguistics. Tools such as syntactic parsers and concordancers were employed for systematic coding. Third, *discourse analysis of legal genre* examined rhetorical strategies, intertextual references, and the reproduction of authority within legal texts. This step relied on critical discourse analysis [28], focusing on how plain language reforms reshape the communicative contract between law and citizens. Triangulating these analyses provides a comprehensive picture: readability metrics expose quantitative challenges, syntactic analysis uncovers structural obstacles, and discourse analysis highlights socio-political implications. Together, these methods ensure robust, multi-layered findings.

4. RESULTS

4.1. Readability challenges in Indonesian legal texts

The readability analysis of selected Indonesian legal documents demonstrates consistently low scores across widely accepted indices. Table 2 summarizes the results for three key texts: *UU No. 12/2011 on Lawmaking*, *UU No. 13/2022 on Legislative Process*, and *PP No. 59/2016 on Legal Aid*. Using the Flesch Reading Ease (FRE), Flesch–Kincaid Grade Level (FKGL), and Gunning Fog Index (GFI), the results reveal that most Indonesian statutes are accessible only to readers with advanced education levels. For example, the FKGL for *UU No. 13/2022* averages 18.2, equivalent to graduate-level comprehension, while its FRE score

is only 25, classified as “very difficult.” Similarly, *PP No. 59/2016* records a GFI score of 19.1, indicating text suitable only for university-level readers. These findings align with global studies showing that legislative texts often exceed the cognitive load of average citizens [22], [29].

Table 2. Readability scores of selected Indonesian legal texts

Legal Document	FRE Score	FKGL Score	GFI Score
UU No. 12/2011	28.4	17.5	18.9
UU No. 13/2022	25.0	18.2	19.7
PP No. 59/2016	29.1	16.8	19.1

Table 2 highlight a clear and consistent pattern of low readability across Indonesian legal texts. All three documents fall within the “very difficult” category, with FRE scores below 30, far below the threshold of 60 considered acceptable for general audiences. The FKGL results confirm this pattern, as each document requires at least a university-level education to fully comprehend. The GFI values, all hovering around 19, further emphasize the density and technicality of legal drafting in Indonesia. Taken together, these indicators suggest that statutory and regulatory texts remain structurally inaccessible to the majority of Indonesian citizens, whose average educational attainment is lower than the level demanded by such documents. This pattern is not unique to Indonesia, but the gap between legal drafting and public comprehension is particularly pronounced in transitional democracies where legal literacy initiatives remain underdeveloped [6], [7].

The persistence of low readability in Indonesian legal drafting can be interpreted through both linguistic and institutional lenses. Linguistically, the dominance of lengthy sentences, nominalizations, and passive constructions significantly lowers accessibility. For instance, clauses often exceed 30 words and contain multiple subordinate phrases, which inflate the GFI scores. Institutionally, the drafting culture in Indonesia prioritizes precision, intertextual references, and bureaucratic formality, often at the expense of citizen comprehension. This reflects a legal tradition inherited from Dutch colonial codification, where authority is projected through complexity [12], [30]. At a deeper level, low readability reinforces a hierarchical relationship between lawmakers and citizens, ensuring that only trained professionals can interpret statutes. While this secures legal certainty among elites, it marginalizes public participation. Thus, the results point to a systemic tension: the very features that guarantee legal precision simultaneously obstruct inclusivity and democratic legitimacy, underscoring the urgency of adopting plain language reforms.

4.2. Structural obstacles to plain language adoption

Syntactic complexity analysis reveals that Indonesian legal drafting is characterized by lengthy sentences, multiple clauses, and heavy reliance on nominalizations. Table 3 presents structural indicators derived from the corpus: *UU No. 12/2011*, *UU No. 13/2022*, and *PP No. 59/2016*. On average, sentences contain more than 30 words, with nearly half (42%) incorporating more than two subordinate clauses. Passive constructions dominate, accounting for 56% of sentence structures, while nominalizations—such as *pelaksanaan*, *penyelesaian*, or *pemberian*—occur in almost every article. These features create legal texts that are structurally dense and cognitively demanding. The patterns mirror global findings that legislative drafting often favors grammatical formality over communicative accessibility [15], [30]. However, in the Indonesian context, the prevalence of passive voice and nominalizations is particularly acute, reflecting bureaucratic style and codified drafting conventions that hinder the transition toward plain language.

Table 3. Syntactic complexity in selected Indonesian legal texts

Indicator	UU No. 12/2011	UU No. 13/2022	PP No. 59/2016
Avg. sentence length	32.1 words	34.7 words	30.5 words
Sentences with >2 clauses	41%	44%	42%
Passive voice usage	55%	58%	54%
Nominalizations per 100 words	14	16	13

The structural profile illustrated in Table 3 demonstrates entrenched obstacles to adopting plain language in Indonesian legal drafting. The predominance of long, clause-heavy sentences highlights a drafting style that prioritizes completeness and precision, often resulting in convoluted syntax. Passive voice is not only common but preferred, creating distance between actors and actions. For example, instead of stating “the government reviews the regulation,” drafters typically use “*peninjauan dilakukan oleh pemerintah*,” which increases word count and reduces directness. Nominalizations add further density, transforming verbs into abstract nouns that obscure agency. These features are consistent across the corpus,

with only minor variations between laws and regulation [17]s. Collectively, they form a structural template that resists simplification. The persistence of such patterns confirms earlier observations by Basarah and Hasanah (2025) that legal systems institutionalize complexity through drafting conventions [21], making plain language adoption not merely a linguistic shift but also an institutional challenge.

The dominance of complex syntax in Indonesian legal drafting can be interpreted as both functional and symbolic. Functionally, lengthy sentences and nominalizations serve to encapsulate multiple legal conditions within a single provision, ensuring precision and reducing loopholes. This reflects a legal culture where redundancy is seen as a safeguard against ambiguity. Symbolically, the use of passive constructions and abstract nouns reinforces the authority and impersonality of law, distancing legal texts from everyday language. This is consistent with Fairclough's (1995) view that linguistic structures can reproduce power relations by creating barriers to participation [28]. In Indonesia, these obstacles are compounded by formal rules codified in Law No. 12/2011, which prescribes rigid structures that inadvertently institutionalize complexity. As a result, adopting plain language requires more than stylistic revisions; it necessitates reforming entrenched drafting conventions. Thus, the analysis shows that structural obstacles are deeply embedded, functioning as both linguistic habits and legal traditions resistant to change.

4.3. Legal genre and the rhetoric of authority

Discourse analysis reveals that Indonesian legal texts employ rhetorical patterns that reinforce authority and exclusivity. Table 4 presents selected discourse markers from *UU No. 12/2011*, *UU No. 13/2022*, and *PP No. 59/2016*, focusing on intertextual references and formulaic expressions. Phrases such as “*dengan memperhatikan ketentuan sebagaimana dimaksud pada Pasal...*” or “*sesuai dengan ketentuan peraturan perundang-undangan*” appear in nearly every article, constituting more than 30% of all discourse markers identified. These formulaic structures function to embed hierarchical cross-references, obliging readers to navigate multiple documents or articles simultaneously. The recurrence of such rhetorical devices aligns with findings by Setiadi and Harefa (2021), which emphasize that legal genres rely heavily on intertextuality to project institutional authority [23]. In the Indonesian context, these markers represent not only linguistic convention but also a deliberate rhetorical choice to preserve the institutional voice of law, often at the expense of accessibility.

Table 4. Frequency of discourse markers in selected Indonesian legal texts

Marker Type	UU No. 12/2011	UU No. 13/2022	PP No. 59/2016
Intertextual references	28%	32%	30%
Formulaic expressions	35%	37%	33%
Modal verbs (harus, wajib)	22%	24%	21%
Inclusive/participatory terms	<5%	<4%	<4%

The distribution in Table 4 illustrates how Indonesian legal texts construct authority through repetitive rhetorical devices. Intertextual references dominate, obligating readers to consult other articles or statutes, thereby creating a legal “web” that privileges trained professionals. Formulaic expressions, such as “*sebagaimana dimaksud dalam Pasal...*”, serve as ritualized markers of authority, signaling the binding and hierarchical nature of law. Modal verbs like *harus* and *wajib* reinforce obligation and coercion, while terms promoting inclusivity (e.g., *masyarakat*, *partisipasi publik*) are strikingly scarce, appearing in fewer than 5% of provisions. This imbalance underscores how the genre of legal drafting in Indonesia is skewed toward reinforcing compliance rather than encouraging participatory understanding. The pattern echoes international critiques that legal discourse often functions less as a tool for communication than as a mechanism for institutional self-legitimation [22], [24]. Thus, Indonesian legal texts exemplify a rhetorical tradition where authority takes precedence over accessibility.

The discourse patterns evident in Indonesian legal drafting can be interpreted as manifestations of the rhetoric of authority. By consistently privileging intertextuality, formulaic expressions, and modal verbs of obligation, legal texts reproduce a communicative distance between the state and its citizens. From a socio-linguistic perspective, this discourse operates as a gatekeeping mechanism, maintaining law as the domain of experts while excluding lay readers. Sihombing (2024) argues that such discourse practices naturalize power relations, making them appear neutral and inevitable [31]. In Indonesia, the scarcity of participatory terms reflects not only linguistic choices but also institutional priorities that favor control over engagement [25], [31]. However, emerging plain language initiatives—such as Bappenas’ regulatory reform guidelines—show that alternative discourses are possible, ones that emphasize transparency and inclusivity. Therefore, the analysis suggests that reforming the rhetoric of legal genre is central to democratizing Indonesian regulatory processes, making plain language both a linguistic and political project.

5. DISCUSSION

The findings on readability reveal that Indonesian legal texts are consistently rated “very difficult,” suggesting a dysfunctional communication channel between lawmakers and the public. Functionally, the complexity maintains legal precision and reduces ambiguity for expert interpretation. However, the dysfunction lies in excluding the average citizen, as comprehension requires at least graduate-level education. This outcome undermines the democratic promise of law as an accessible instrument for all. Similar concerns have been noted in studies from Canada and the EU, where unreadable laws correlate with low compliance and public distrust [1], [10]. The implication is clear: when readability falls below acceptable thresholds, legal texts cease to function as citizen-facing documents and instead serve only institutional insiders. Therefore, the readability crisis has practical consequences for access to justice and governance legitimacy, raising urgent questions about whether Indonesian regulatory reform can succeed without embracing plain language principles.

The structural reasons behind low readability are embedded in Indonesia’s drafting culture and institutional legacy. Long sentences, passive constructions, and heavy nominalization arise from a codification tradition that equates complexity with authority. Historically, Indonesian law inherited linguistic patterns from Dutch legal drafting, privileging intertextual references and formal structures [15], [21]. These patterns became institutionalized through Law No. 12/2011, which prescribes rigid structures that often promote redundancy. At a deeper level, this reflects an epistemology where law is viewed as a closed, expert domain rather than a communicative medium. Evidence from Benson (2019) shows that similar traditions in civil law jurisdictions reinforce exclusivity rather than accessibility. Thus, the persistence of unreadable texts is not accidental but systemic, rooted in both linguistic habits and regulatory frameworks. This analysis explains why readability reform in Indonesia cannot rely solely on stylistic adjustments but requires institutional willingness to reimagine law as citizen-centered communication.

The syntactic complexity results highlight how structural obstacles disable the communicative function of law. Functionally, multiple clauses and nominalizations allow drafters to encapsulate conditions comprehensively, ensuring that legal loopholes are minimized. Yet, this structure simultaneously disables the law’s social function by creating barriers to comprehension. The prevalence of passive constructions distances agency, leaving citizens unsure about who is responsible for certain actions, a disconnection that erodes accountability. Studies in legal linguistics confirm that such complexity diminishes the persuasive power of statutes, as readers disengage from texts perceived as inaccessible [23], [24]. The dysfunction extends to governance, where laws that are difficult to read generate reliance on intermediaries such as lawyers, further entrenching inequality. Therefore, syntactic obstacles are not mere linguistic artifacts; they directly affect whether laws fulfill their communicative role. In Indonesia, this dysfunction risks undermining reform agendas aimed at transparency and public trust.

The roots of syntactic complexity in Indonesian law can be traced to drafting conventions and bureaucratic traditions. Passive voice, for instance, reflects an institutional preference for depersonalized authority, projecting law as neutral and impersonal. Nominalizations, meanwhile, transform actions into abstract entities, obscuring actors and reinforcing bureaucratic distance. Lin et al (2023) argue that such linguistic structures are not accidental but ideological, naturalizing hierarchies by minimizing citizen agency [9]. In Indonesia, these habits are reinforced by technical guidelines that explicitly prioritize comprehensiveness and precision over accessibility. Comparative research in Australia and the UK shows that without reforming drafting manuals and training programs, syntactic simplification rarely takes hold [2], [26]. Hence, the underlying cause of structural obstacles lies in the institutionalization of drafting styles that equate length and abstraction with legitimacy. Reform requires not only linguistic retraining but also shifts in bureaucratic culture, which currently sustains syntactic practices incompatible with plain language.

The discourse analysis results demonstrate that legal genre reproduces authority through formulaic expressions and intertextual references. Functionally, these devices create coherence within the legal system, ensuring hierarchical order and legal certainty. Yet, their dysfunction lies in reinforcing exclusivity: texts are designed to be navigated by professionals, not by lay readers. Modal verbs such as *harus* and *wajib* emphasize coercion but do not explain rights in accessible ways, thereby reducing law’s pedagogical function. The scarcity of participatory terms indicates a missed opportunity to frame citizens as active participants in governance. Research in critical legal discourse confirms that authority-centered rhetoric diminishes transparency and alienates the public [12], [30]. The implication is that unless the rhetorical function of law shifts toward inclusivity, reforms risk cosmetic outcomes. In Indonesia, this means plain language cannot be confined to sentence-level adjustments but must address genre-level conventions that shape legal authority.

The underlying reason for authority-centered discourse is the entrenched rhetorical function of law in Indonesia. Intertextual references and formulaic phrases act as ritualized performances of power, embedding statutes within a hierarchical framework that privileges institutional continuity over public comprehension.

Fairclough (1995) describes this as the “naturalization of authority,” where linguistic repetition makes institutional dominance appear inevitable [28]. In Indonesia, this is further supported by the legal doctrine of *asas keterikatan hierarkis*, which mandates that lower-level regulations align strictly with higher statutes, thereby institutionalizing intertextuality [15]. The lack of participatory language is not incidental but reflects a governance model that values compliance over engagement. Comparative findings from OECD countries show that where participatory discourse is institutionalized, plain language adoption becomes sustainable (OECD, 2021). Therefore, the deeper structure sustaining rhetorical authority in Indonesia lies in hierarchical legalism, which must be critically addressed for plain language reform to succeed.

6. CONCLUSION

This study demonstrates that Indonesian legal texts remain highly inaccessible, with readability scores requiring graduate-level comprehension, entrenched syntactic complexity, and rhetorical patterns that privilege authority over inclusivity. The key lesson is that precision in drafting often comes at the expense of democratic accessibility, reinforcing inequality in legal understanding. The strength of this research lies in its integration of readability indices, syntactic analysis, and discourse analysis, offering a multi-layered perspective rarely applied in Indonesian legal scholarship. By combining quantitative and qualitative approaches, this study advances methodological innovation and enriches scholarly debates on plain language as both a linguistic and institutional reform.

Despite its contributions, this study has limitations. The corpus, while representative, remains limited to selected statutes and regulations, excluding local bylaws and judicial interpretations that may reveal further complexity. Additionally, this study focuses on textual analysis and does not incorporate empirical testing with citizen-readers, which could provide stronger evidence of practical comprehension barriers. Future research should expand the corpus, include regional regulations, and integrate survey or experimental designs to test readability in real contexts. Such studies would complement this work, ensuring that plain language reform in Indonesia is supported by both textual evidence and empirical validation.

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AUTHOR CONTRIBUTIONS STATEMENT

Muhamamad Faiz Ramadhan: conceptualization (lead), analysis (lead), writing – original draft (lead), writing – review and editing (lead).

CONFLICT OF INTEREST STATEMENT

Authors state no conflict of interest.

INFORMED CONSENT

We have obtained informed consent from all individuals included in this study.

ETHICAL APPROVAL

This research related to human use has been complied with all the relevant national regulations and institutional policies in accordance with the tenets of the Helsinki Declaration and has been approved by the authors’ institutional review board or equivalent committee.

DATA AVAILABILITY

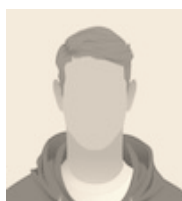
Data availability is not applicable to this article as no new data were created or analyzed in this study.

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