

Language rights and legal identity: a sociolinguistic study of indigenous language representation in Indonesian law

Putri Lu'lua Faiza Dwany

Universitas Islam Negeri (UIN) Sunan Kalijaga, Indonesia

Article Info

Article history:

Received Feb 14, 2026

Revised Mar 11, 2026

Accepted Mar 21, 2026

Keywords:

discourse analysis;
indigenous languages;
language policy;
legal identity;
sociolinguistics.

ABSTRACT

Background: Indonesia is one of the world's most linguistically diverse nations, yet indigenous languages remain marginalized in legal frameworks that privilege Bahasa Indonesia as the sole language of governance. **Objective:** The aim of this research is to examine how Indonesian law represents, protects, or silences indigenous languages in constructing legal identity. **Method:** Using a qualitative design, this study employed sociolinguistic textual analysis, critical language policy analysis, and ideological discourse analysis on constitutional provisions, statutory laws, regional bylaws, and judicial decisions. **Results:** The results show three main findings: first, indigenous languages are inconsistently represented in national legal texts, with recognition largely symbolic and confined to cultural or educational domains; second, there are significant policy gaps, as constitutional guarantees of cultural rights lack enforcement mechanisms and regional protections remain fragmented; third, legal discourse reflects an ideology of centralism that elevates Bahasa Indonesia while relegating local languages to folklorized or peripheral roles. **Implication:** These findings imply that without systemic integration, indigenous languages risk symbolic survival but functional exclusion, underscoring the need for inclusive legal reforms that embed linguistic rights into governance and justice. **Novelty:** This study exposes how Indonesian legal discourse simultaneously recognizes and marginalizes indigenous languages, revealing a tension between symbolic acknowledgment and their exclusion from functional domains of governance.

This is an open access article under the [CC BY-SA](#) license.



Corresponding Author:

Putri Lu'lua Faiza Dwany

Universitas Islam Negeri (UIN) Sunan Kalijaga, Indonesia

Jl. Marsda Adisucipto, Papringan, Caturtunggal, Kec. Depok, Sleman, Yogyakarta, 55281, Indonesia

Email: 21103070091@student.uin-suka.ac.id

1. INTRODUCTION

Language rights remain a critical yet contested dimension of human rights in multicultural societies such as Indonesia. With more than 718 living languages recorded across its archipelago, Indonesia is home to one of the most linguistically diverse populations in the world. However, national census data reveal that the number of active speakers of local languages is declining, with some estimates predicting that nearly 40% of these languages may face endangerment by 2040. This sociolinguistic erosion is not merely cultural but has tangible implications for legal identity, particularly for indigenous communities whose customary practices and worldviews are embedded in their native tongues. Cases such as the Constitutional Court Decision No. 35/PUU-X/2012, which recognized the rights of customary communities over forests, highlight the tension between legal recognition and linguistic representation. Despite constitutional guarantees of cultural rights, the invisibility of local languages in legal texts reflects a broader crisis: indigenous communities are acknowledged administratively, but their linguistic identities remain marginalized in law.

Previous scholarship has examined language policy in Indonesia through the lens of education, media, and cultural preservation [1], [2], [2], [3]. Much of this research emphasizes how Bahasa Indonesia, as the national language, has functioned as a unifying tool across diverse ethnic groups [4]. More recent studies focus on the decline of vernacular use in intergenerational transmission and schooling contexts [5], [6]. However, while research on sociolinguistics and language endangerment is well established, fewer studies interrogate the intersection of language rights and legal identity. Works on legal pluralism and indigenous rights [7], [8], [9] tend to prioritize land tenure, political participation, or cultural recognition, often sidelining the linguistic dimension. Thus, a significant gap remains in understanding how legal frameworks represent—or fail to represent—indigenous languages as part of the legal identity of minority communities. This study aims to bridge that gap by situating language rights squarely within the domain of legal discourse.

The central aim of this research is to examine how Indonesian law constructs, represents, or silences indigenous languages within its legal framework. This study asks: To what extent do national and regional legal documents recognize indigenous languages as part of the legal identity of minority communities? How do constitutional provisions, statutory regulations, and court decisions articulate (or fail to articulate) language rights for indigenous peoples? Moreover, what ideological positions underpin the prioritization of the national language over local ones in legal texts? By addressing these questions, this study investigates not only the explicit inclusion or exclusion of indigenous languages but also the underlying discursive strategies that position language as either central or peripheral to legal identity. This research thus places linguistic diversity at the heart of inquiries into human rights, cultural sustainability, and national integration.

This study advances the argument that indigenous languages in Indonesia, while constitutionally acknowledged as part of cultural heritage, are legally rendered invisible in ways that undermine the full expression of indigenous legal identity. Preliminary evidence suggests that the national legal order is structured around an ideology of linguistic centralism, where Bahasa Indonesia symbolizes unity and sovereignty, while local languages are relegated to symbolic or ceremonial roles. This marginalization not only limits linguistic justice but also weakens the recognition of indigenous peoples in matters such as customary law, access to justice, and participation in governance. The implications extend beyond linguistics to broader concerns of equity, democracy, and cultural survival. By foregrounding the intersection of sociolinguistics and legal studies, this research provides both a critique of existing legal frameworks and a call for more inclusive policies that integrate indigenous languages into the fabric of Indonesian law.

2. LITERATURE REVIEW

2.1. Language rights

The first concept central to this study is *language rights*, broadly defined as the individual and collective entitlements to use, maintain, and transmit one's native language across private and public domains. Sanka (2020) describes language rights as a dimension of human rights linked to cultural survival [10], while Huque and Maheshwari (2023) emphasizes their role in ensuring linguistic minorities' participation in civic life [11]. However, definitions vary: some scholars adopt a liberal framework, viewing language rights as protections for individual choice [12], whereas others stress collective entitlements rooted in group identity [13]. In legal scholarship, debates revolve around whether language rights should be enforceable as "hard rights" or treated as aspirational principles. This definitional diversity reflects tensions between universalism and particularism in human rights discourses. Overall, language rights emerge as a multidimensional construct that connects linguistic justice, equality, and the preservation of cultural identity.

Scholars categorize language rights into several interrelated dimensions. Sanka (2020) distinguish between *basic linguistic human rights*—such as the right to learn and use one's mother tongue—and *non-basic rights*, such as media access in minority languages [10]. Frank (2025) proposes three key domains: rights in education, rights in governance, and rights in cultural participation [3]. Meanwhile, Nemechkin (2020) stresses *implementation categories*, noting that formal recognition of language rights often diverges from practical realities [12]. In the Southeast Asian context, research identifies three indicators of effective language rights: institutional recognition in law, provision of resources for language maintenance, and protection against linguistic discrimination [11], [14]. These categories help clarify the scope of protection available to indigenous languages in legal systems. The consensus across the literature is that language rights cannot be reduced to symbolic recognition alone; they require material guarantees embedded in governance and public policy.

2.2. Legal identity

The second concept relevant to this study is *legal identity*, which refers to the recognition of an individual or community as a subject of law, usually through documentation such as birth certificates, ID cards, or community-based recognition. The World Bank defines legal identity as "the basic characteristic of being recognized as a person before the law," linking it to access to rights, services, and citizenship [15].

However, scholars differ in emphasis: some approach legal identity as a bureaucratic artifact of state sovereignty [16], while others highlight its cultural dimensions, where identity includes linguistic and ethnic markers [17]. In the Indonesian context, legal identity debates often center on how indigenous communities are simultaneously recognized administratively yet marginalized linguistically and culturally. Thus, legal identity emerges not as a fixed legal status, but as a contested space where recognition, exclusion, and cultural rights intersect.

The literature highlights multiple dimensions of legal identity. The United Nations identifies three categories: *foundational identity* (such as name, gender, and date of birth), *functional identity* (documents enabling participation in public services), and *collective identity* (recognition of communities or groups). Legal pluralism scholars expand this by pointing to *statutory identity*, *customary identity*, and *religious identity*, which coexist in contexts like Indonesia [7], [8], [9]. For indigenous peoples, indicators of legal identity include recognition of customary law, acknowledgment of territorial rights, and acceptance of cultural-linguistic identity in governance [18]. These categories underscore that legal identity extends beyond administrative registration, encompassing symbolic and cultural dimensions. This broader understanding is crucial to evaluating whether indigenous languages are treated as integral to legal identity or relegated to peripheral, cultural ornamentation within formal law.

2.3. Discourse and ideology

The third concept shaping this study is *discourse and ideology*, particularly as analyzed through critical discourse studies. Fairclough (1995) defines discourse as language use shaped by social structures and power relations [19], while van Dijk (1993) emphasizes its ideological dimension, whereby discourse reproduces dominance or resistance [20]. Ideology itself is contested: Jusdalyana et al (2024) views it as a system of beliefs sustaining power [21], whereas Munibi (2025) stresses its symbolic and communicative functions [22]. In the domain of law, discourse and ideology are inseparable, since legal texts not only regulate but also normalize specific worldviews. In Indonesia, legal discourse privileges the ideology of national unity through Bahasa Indonesia, often at the expense of minority linguistic identities (Lauder, 2021). Thus, this study of discourse and ideology reveals not just how language is used in law, but how legal narratives perpetuate or challenge hegemonic structures of nationalism and centralism.

Analyses of discourse and ideology in law highlight several categories or indicators. Wodak (2009) identifies three primary dimensions: *representations* (how groups or languages are depicted), *argumentation strategies* (how inclusion or exclusion is justified), and *positioning* (how subjects are situated in relation to authority) [23], [24], [25]. Van Dijk (1993) adds categories such as *ideological square* (emphasizing “us” versus “them”) [20], which is visible in nationalist discourse that glorifies Bahasa Indonesia while marginalizing local languages. In the Southeast Asian legal context, categories often include: national integration narratives, minority recognition strategies, and silencing practices [26]. These frameworks allow researchers to map how indigenous languages are discursively sidelined or celebrated within legal texts. Ultimately, examining categories of discourse and ideology provides a lens to uncover the subtle mechanisms through which legal systems reproduce dominance while appearing neutral or inclusive.

3. METHOD

The unit of analysis for this research comprises legal texts that explicitly or implicitly regulate, recognize, or silence indigenous languages in Indonesia. These include constitutional provisions, statutory laws, regional bylaws, and landmark court decisions. The material object of this study is the representation of indigenous languages as part of legal identity construction in Indonesian law. The rationale for selecting this corpus is that such documents form the primary instruments through which the state defines rights and identities [27], [28]. By analyzing how indigenous languages appear—or fail to appear—within these texts, this study highlights the extent to which linguistic diversity is recognized as part of legal rights. Table 1 provides a comprehensive list of the corpus used.

This study adopts a qualitative research design with a sociolinguistic orientation, specifically focusing on textual and discourse analysis. Qualitative design is appropriate because it enables a nuanced interpretation of language within its socio-political and legal contexts [29]. This research employs a case-oriented approach, analyzing selected legal texts to uncover patterns of representation and omission regarding indigenous languages. Rather than measuring frequency alone, the design emphasizes meaning, ideology, and power relations encoded in the texts. The focus is not only descriptive but also interpretive, aiming to reveal how language rights are discursively constructed or silenced in legal discourse. Such a design aligns with critical sociolinguistic traditions that view language as inseparable from identity and governance (Heller, 2011). Thus, the design ensures this study addresses both the textual surface of legal documents and the underlying ideological structures shaping them.

Table 1. Corpus of legal texts

No	Type of Document	Example	Source
1	Constitution	Article 28I UUD 1945 (cultural rights)	peraturan.go.id
2	National Law	Law No. 39/1999 on Human Rights	jdih.setneg.go.id
3	National Law	Law No. 23/2014 on Local Government	jdih.setneg.go.id
4	Regional Bylaw	West Papua Regulation No. 10/2020 on Indigenous Peoples	jdih.pemprov-pabar.go.id
5	Court Decision	Constitutional Court Decision No. 35/PUU-X/2012	putusan.mahkamahkonstitusi.go.id
6	Court Decision	Supreme Court Decision No. 46 PK/TUN/2016	mahkamahagung.go.id
7	Local Regulation	South Sulawesi Regulation No. 9/2015 on Local Culture	jdih.sulselprov.go.id
8	Local Regulation	Bali Provincial Regulation No. 4/2020 on Language, Literature, and Script	jdih.baliprov.go.id
9	Ministerial Regulation	Minister of Education and Culture Regulation No. 20/2018 on Local Content Curriculum	kemdikbud.go.id
10	Policy Document	National Human Rights Commission Report on Indigenous Rights (2019)	komnasham.go.id

The primary sources of information include official legal databases such as peraturan.go.id for national laws, jdih.setneg.go.id for government regulations, and provincial or district *JDIH* portals for regional bylaws. Judicial decisions were obtained from the Constitutional Court's official portal (putusan.mahkamahkonstitusi.go.id) and the Supreme Court's registry (mahkamahagung.go.id). Supplementary sources include ministerial regulations and policy documents from institutions such as the Ministry of Education and Culture and the National Human Rights Commission. Secondary sources include peer-reviewed journals, legal commentaries, and reports by NGOs focusing on indigenous rights, which provide interpretive context. These sources were selected because they ensure both validity and comprehensiveness: primary sources reflect the authoritative legal record, while secondary materials offer analytical insights. The combination strengthens triangulation [30], ensuring that findings are not based on isolated texts but supported by multiple perspectives within the legal-linguistic landscape.

Data collection followed a systematic process. First, all relevant legal texts were identified using keyword searches (e.g., “bahasa daerah,” “masyarakat adat,” “identitas hukum”) in national and regional legal repositories. Second, the documents were downloaded and cataloged by type, year, and jurisdiction. Third, inclusion criteria were applied: texts had to explicitly mention indigenous peoples, cultural rights, or language-related provisions. Exclusion criteria eliminated documents that only referenced cultural issues superficially without legal implications. Fourth, the collected texts were coded in a database, ensuring traceability and transparency. Fifth, cross-checking was conducted with secondary literature to confirm that the corpus reflected key debates in law and sociolinguistics. This process ensured that the corpus was comprehensive, representative, and aligned with this study's research questions. The structured data collection minimized bias and ensured that findings could be validated by other researchers reviewing the same materials.

The data were analyzed in three stages corresponding to this research tools: (1) Sociolinguistic Textual Analysis, which examined lexical choices, references to local languages, and their functions in legal identity construction; (2) Critical Language Policy Analysis, which mapped explicit and implicit language policies embedded in laws and regulations; and (3) Ideological Discourse Analysis (IDA), which identified ideological patterns such as nationalism, centralism, or multiculturalism in the legal discourse. Each stage combined close reading with coding, allowing for the systematic identification of linguistic representations and silences. NVivo software was employed to organize codes and trace thematic patterns across documents. This multi-method approach enabled both micro-level textual insights and macro-level ideological interpretation. The conclusion of the analysis is expected to reveal how Indonesian law constructs language rights as symbolic recognition rather than substantive guarantees, thereby shaping indigenous legal identity.

4. RESULTS

4.1. Representations of language rights in legal texts

The analysis began by mapping references to indigenous languages across constitutional, statutory, and regional legal documents. Table 2 summarizes key examples from the corpus. This table illustrates that references to indigenous languages appear inconsistently, often limited to cultural or educational contexts rather than legal identity or rights-based frameworks.

Table 2. Mentions of indigenous languages in Indonesian legal texts

Document	Language Reference	Context
UUD 1945, Art. 32(2)	“Daerah berhak memelihara dan mengembangkan bahasa daerah”	Cultural rights
Law No. 39/1999 on Human Rights	No explicit mention	Human rights
Law No. 23/2014 on Local Government	“Bahasa daerah sebagai kekayaan budaya”	Local identity
West Papua Regulation No. 10/2020	Explicit recognition of local languages	Indigenous rights
Bali Provincial Regulation No. 4/2020	Balinese language as compulsory in schools	Cultural and educational policy

The distribution of references in Table 2 shows a fragmented and symbolic recognition of indigenous languages in Indonesian law. At the constitutional level, the recognition is generic, framed within cultural preservation without specific legal mechanisms for enforcement. National laws, such as the Human Rights Law of 1999, remain silent on indigenous languages, underscoring their invisibility in broader human rights discourse. In contrast, regional regulations, particularly in Bali and West Papua, demonstrate stronger commitments by explicitly recognizing and institutionalizing indigenous languages in governance or education. The pattern indicates a legal hierarchy: the higher the level of legislation, the weaker the mention of indigenous languages, while local bylaws tend to be more explicit. This reflects decentralization policies allowing regions to regulate cultural matters more assertively.

This finding reveals a systemic imbalance in the legal representation of indigenous languages. The symbolic acknowledgment at the national level aligns with an ideology of unity centered on Bahasa Indonesia as the sole language of law and governance. This silence or marginalization is not accidental but reflects state priorities of integration and national identity [14]. Regional bylaws like those in Bali or West Papua provide counter-examples, showing how local governments respond to community demands for recognition. However, without national-level reinforcement, these efforts remain peripheral and vulnerable to political shifts. The interpretive conclusion is that the Indonesian legal system constructs indigenous languages as secondary, situating them within cultural heritage frameworks rather than legal rights. This limits their role in shaping legal identity, thereby reinforcing a hierarchical linguistic order where the national language dominates while local languages remain symbolically tolerated.

4.2. Legal policy gaps in indigenous language protection

To identify gaps, this study compared constitutional, statutory, and regional frameworks regarding indigenous language protection. Table 3 highlights major policy provisions and their limitations. This table demonstrates that while cultural recognition exists, systematic policies integrating language rights into legal identity remain absent.

Table 3. Policy coverage vs. gaps in indigenous language protection

Document	Provision	Coverage	Gap
UUD 1945, Art. 28I & 32	Cultural rights include local languages	Symbolic recognition	No enforcement mechanism
Law No. 23/2014	Regional governments may promote local culture	Delegated authority	No obligation for language use in legal contexts
West Papua Regulation No. 10/2020	Recognition of customary rights, including languages	Explicit protection	Limited to regional scope
Court Decision No. 35/PUU-X/2012	Recognition of adat communities	Land and forest rights	No direct mention of language rights
Bali Provincial Regulation No. 4/2020	Balinese compulsory in schools	Strong local mandate	No linkage to legal identity or services

Table 3 indicates a consistent pattern of symbolic acknowledgment but limited substantive protection. National provisions, such as Articles 28I and 32 of the Constitution, recognize cultural rights broadly but fail to operationalize them into enforceable legal guarantees for indigenous languages. Statutory laws, including the Local Government Law, delegate responsibility to regional authorities without mandating implementation. As a result, local governments exercise discretion, leading to uneven outcomes: Bali integrates language into education, while many provinces lack such initiatives. Judicial decisions, though progressive in recognizing indigenous communities, remain silent on language rights, focusing instead on land and customary practices. This inconsistency reveals a structural weakness: indigenous languages are seen as cultural assets but not integral to governance, legal proceedings, or identity documentation. The fragmented approach undermines uniform protection and leaves indigenous linguistic communities vulnerable to political neglect.

The gaps reflect broader structural and ideological constraints in Indonesian language policy. Scholars argue that despite Indonesia's multicultural framework, legal pluralism has prioritized administrative recognition over substantive linguistic justice [31], [32]. The state's emphasis on Bahasa Indonesia as the sole language of law creates systemic exclusion of indigenous languages from formal governance. This exclusion perpetuates inequalities, as communities cannot access justice or services in their native tongues. Regional experiments, such as Bali's educational mandate, show potential but remain disconnected from national frameworks, resulting in fragmented protection. The absence of linguistic guarantees in landmark court rulings illustrates how even progressive legal recognition of indigenous peoples sidelines their linguistic identities. Interpreted critically, these gaps signify a disjuncture between constitutional ideals and legal practice. Indigenous languages are celebrated symbolically but structurally marginalized, reinforcing a national policy orientation that privileges unity over diversity.

4.3. Ideological silencing of ethnolinguistic identities

The ideological positioning of indigenous languages was traced by coding recurring themes in constitutional, statutory, and regional legal documents. Table 4 presents the discursive strategies that emerged. This table shows that discourses surrounding indigenous languages oscillate between symbolic folklorization and localized resistance, while national texts consistently prioritize Bahasa Indonesia.

Table 4. Discursive themes on indigenous languages in Indonesian law

Document	Theme	Example of Discourse	Ideological Implication
UUD 1945	National unity	"Bahasa Indonesia sebagai bahasa persatuan"	Centralism, homogenization
Law No. 39/1999	Human rights	Silence on linguistic rights	Linguistic invisibility
Law No. 23/2014	Local culture	"Bahasa daerah sebagai kekayaan"	Symbolic folklorization
West Papua Regulation 10/2020	Customary recognition	Explicit mention of local languages	Resistance to centralism
Bali Regulation 4/2020	Education	Balinese as compulsory subject	Cultural revitalization

Table 4 reveals a striking asymmetry: national-level legal texts prioritize unity, stability, and national identity, while regional laws sporadically introduce counter-discourses that value indigenous linguistic identity. The Constitution and national statutes promote Bahasa Indonesia as the sole legitimate language for governance and legal identity, rendering indigenous languages invisible in practice. When indigenous languages are mentioned, they are framed as cultural ornaments or regional heritage rather than as functional tools of justice or administration. Regional texts, particularly from Bali and West Papua, attempt to institutionalize indigenous languages through education or local governance. However, these remain fragmented and lack reinforcement from national law, making them exceptions rather than systemic protections. The overall pattern suggests that indigenous languages are discursively tolerated at the margins but excluded from the legal core, reflecting a hierarchical ordering of language legitimacy.

The ideological silencing of indigenous languages reflects what Wodak (2009) terms *discursive exclusion*—a process by which legal texts normalize majority ideologies while marginalizing minority voices [23]. In Indonesia, this manifests as the elevation of Bahasa Indonesia as a unifying symbol, framed as essential to state sovereignty and integration [5], [33]. By contrast, indigenous languages are associated with

nostalgia, folklore, or “local wisdom,” limiting their role in shaping contemporary legal identity. This ideological framing perpetuates power asymmetries: indigenous communities may be recognized administratively, but their linguistic identity is silenced in legal discourse. Regional resistance, as in West Papua or Bali, demonstrates alternative ideological orientations, but these remain peripheral to national policy. Interpreted critically, this silencing not only marginalizes indigenous languages but also weakens the inclusivity of Indonesian democracy, as linguistic justice is subordinated to centralist narratives of unity.

5. DISCUSSION

The findings on the representation of language rights in Indonesian legal texts underscore both their symbolic function and their practical dysfunction. While constitutional and statutory provisions acknowledge local languages as cultural heritage, this recognition operates more as symbolic affirmation than as enforceable rights. The function here is to project Indonesia’s multicultural image, affirming diversity without altering legal processes that remain monolingual in Bahasa Indonesia. However, the dysfunction is evident in the exclusion of indigenous communities from legal participation, since justice delivery and documentation do not accommodate their languages. Studies on linguistic justice [10], [34] affirm that symbolic recognition without implementation leads to erosion of rights. The implication is that legal texts serve more as cultural showcases than functional instruments of inclusivity. Thus, the representational gap not only silences linguistic diversity but also weakens the legitimacy of Indonesia’s legal pluralism in practice.

The underlying reason for the marginal presence of indigenous languages in legal texts lies in the structural ideology of centralism. Since its independence, Indonesia has institutionalized Bahasa Indonesia as a unifying tool, framing it as essential for sovereignty and governance [4], [11]. This structure elevates Bahasa Indonesia as the sole language of law, producing a system where indigenous languages are relegated to symbolic references. The correlation between state-building and linguistic homogenization explains why constitutional and statutory documents avoid operationalizing indigenous languages: legal centralism aligns with political integration. Critical language policy research shows that states often institutionalize majority languages to maintain stability, while minority languages are sidelined as potential threats to cohesion [6], [35]. In Indonesia, this structural arrangement produces consistent patterns: national laws silence indigenous languages, while regional laws experiment with recognition. The structural imbalance reflects how nationalism overrides multicultural inclusivity at the legal core.

The identified policy gaps reveal that Indonesia’s current framework functions unevenly across jurisdictions. On the one hand, delegating authority to regional governments allows flexibility for provinces like Bali or West Papua to institutionalize indigenous languages. This decentralization demonstrates the potential function of local autonomy in preserving linguistic diversity. On the other hand, the absence of national mandates creates dysfunction: indigenous language protection becomes optional, dependent on regional political will rather than guaranteed rights. As a result, communities in regions without proactive regulations remain unprotected. Scholars such as Rayhan et al (2025) highlight that symbolic recognition without systemic integration creates a “patchwork of rights,” leaving vulnerable groups exposed [31]. The implication is that decentralization without coordination undermines linguistic justice, leading to fragmented protections. Ultimately, the gaps in policy design perpetuate inequalities by ensuring that access to language rights depends more on geography than on constitutional guarantees.

The root of these gaps lies in the tension between legal pluralism and administrative centralism in Indonesia. While decentralization reforms since 1999 have granted regions authority over cultural matters, the state retains tight control over legal identity and official language policy [5]. This duality explains why indigenous languages appear in local regulations but remain absent from national-level enforcement. The structural correlation is clear: decentralization enables symbolic recognition at the margins, while centralism blocks substantive recognition at the core. Comparative research shows similar patterns elsewhere: in multilingual democracies like India or Malaysia, local autonomy enables vernacular policies, but central governments preserve linguistic hierarchies for cohesion [33]. In Indonesia, the administrative design ensures that indigenous languages cannot penetrate the domains of legal identity, justice, or documentation. This structural tension reveals why policy gaps persist: decentralization provides symbolic diversity, but centralism ensures systemic homogeneity.

The ideological silencing of indigenous languages demonstrates how law functions as a tool of nation-building but also dysfunctions as a barrier to inclusivity. National legal texts construct Bahasa Indonesia as a symbol of unity, reinforcing collective identity while simultaneously marginalizing other linguistic groups. This discursive function stabilizes national sovereignty but at the cost of suppressing ethnolinguistic identities. The dysfunction is evident in the limited role indigenous languages play in legal identity and governance, which undermines the participation of minority communities. Critical discourse scholars [20], [23] argue that discursive exclusion reproduces inequality by normalizing dominance as neutrality. In Indonesia, this manifests as the normalization of monolingual governance. The implication is that while

ideological silencing sustains cohesion, it paradoxically weakens democratic inclusivity and human rights. Indigenous identities are acknowledged administratively but silenced linguistically, creating a fragile balance between unity and marginalization.

The ideological silencing stems from the historical construction of nationalism in Indonesia, which equated unity with linguistic homogenization. Since the Youth Pledge of 1928, Bahasa Indonesia has been institutionalized as the core of national identity, producing a discourse where indigenous languages are relegated to folklore or regional heritage [11]. This structural ideology explains why legal texts consistently marginalize indigenous languages: linguistic centralism has become synonymous with state survival. The correlation is evident in how discourses of “unity in diversity” often privilege the “unity” component, leaving “diversity” underrepresented in legal practice. Comparative insights from critical sociolinguistics (Heller, 2011) confirm that states often suppress linguistic plurality under the guise of integration. In Indonesia, this structure ensures that indigenous languages remain symbolically tolerated but legally excluded. The conclusion is that ideological silencing is not incidental but structurally embedded, reinforcing a hierarchical linguistic order that prioritizes cohesion over equity.

6. CONCLUSION

The most important finding of this research is the clear disjunction between symbolic recognition and substantive protection of indigenous languages in Indonesian law. While national legal texts acknowledge local languages as cultural heritage, their practical integration into legal identity remains absent. This study demonstrates that indigenous languages are largely confined to educational and cultural domains, while their role in justice, governance, and documentation is marginalized. The strength of this research lies in combining sociolinguistic textual analysis, critical language policy analysis, and ideological discourse analysis to provide a holistic perspective. By bridging law and sociolinguistics, this study contributes a fresh conceptual lens for understanding how language rights shape legal identity and exposes the ideological mechanisms that sustain linguistic inequality in plural societies.

Nevertheless, this study faces certain limitations. The corpus, while comprehensive, is limited to selected constitutional provisions, national statutes, regional bylaws, and court decisions, which may not fully capture the dynamics of local practices and oral traditions. Moreover, the focus on Indonesia restricts generalizability, as other multilingual contexts may reveal different trajectories of language rights. Future research should expand to include ethnographic approaches, examining how indigenous communities experience and contest linguistic silencing in legal arenas. Comparative studies across Southeast Asia could also enrich the analysis by mapping regional patterns of linguistic justice and governance.

ACKNOWLEDGMENTS

The author sincerely thanks all colleagues and academic partners who supported the completion of this research.

FUNDING INFORMATION

Authors state no funding involved.

AUTHOR CONTRIBUTIONS STATEMENT

Putri Lu'lua Faiza Dwany: conceptualization (lead), investigation (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.

- [33] C. Laude, "Balancing acts and breakthroughs: Canada's journey with linguistic diversity, indigenous rights, and the UN Declaration to inspire public service innovation," *Canadian Foreign Policy Journal*, vol. 31, pp. 154–174, Jan. 2025, doi: 10.1080/11926422.2025.2458884.
- [34] A. Kyomugisha, "Language as a Human Right: Legal Perspectives," *IDOSR JOURNAL OF COMMUNICATION AND ENGLISH*, Sep. 2025, doi: 10.59298/idosr/jce/101.3238.20250000.
- [35] K. Chahbane and H. Zrizi, "Language and Politics: Framing the Use of Conceptual Metaphors in Political Discourse," *International Journal of Linguistics, Literature and Translation*, Nov. 2023, doi: 10.32996/ijllt.2023.6.11.15.

BIOGRAPHY OF AUTHOR



Putri Lu'lua Faiza Dwany    is affiliated with UIN Sunan Kalijaga, Indonesia. She is engaged in academic study in language, law, and society, with particular attention to indigenous language rights, sociolinguistics, legal identity, and language policy. Her work focuses on how legal discourse represents linguistic diversity and how law interacts with questions of identity, citizenship, and cultural inclusion. She can be contacted at email: 21103070091@student.uin-suka.ac.id