

“Education is a business”: Lexical cohesion of the public opinions in response to the Indonesian Job Creation Law

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ABSTRACT

Lexical choices in a law text contribute to the creation of discourse. The issuance of Law Number 11 of 2020 concerning Job Creation Law in Indonesia has resulted in a controversial public discussion concerning questionable educational practices in Indonesia. This study attempted to investigate the accumulated ideas that depict a represented discourse by exploring cohesive devices used in public interpretation regarding the impacts of the inclusion of Article 65 on education policy and practices according to the Job Creation Law. The data were garnered online from public figures' opinions shared in the Academic Association, Legal Aid Agency, Taman Siswa Family's Association, Indonesian Teacher Union, Ma'arif Nahdlatul Ulama, and Education Observer Group. The collected interpretation was analyzed by identifying how lexical features were used in the interpretation to construct ideas. The analysis indicates that the public figures' interpretation shared a common conception that the Job Creation Law intended to construct. The law signals the idea of administering education as a business, potentially affecting the uncontrolled establishments of associations and foundations that administer education in Indonesia. The public interpretation suggests that the Job Creation Law put aside the term “service” that the government should facilitate in the administration of education.

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INTRODUCTION

The latest Indonesian law system has been trying to manage law clusters in many sectors in one master law, Omnibus law. However, many have voiced their rejection since the formulation of the draft law. The issuance of the law was protested and rejected emphatically by activists because the article on education, as one of the issues in the Omnibus law, was reincluded in the law substantially less than that of the employment cluster. The cluster is listed in

paragraph 12 of Education and Culture, with only one article, namely Article 65. In Article 65 paragraph (1) it is stated that, “*Perizinan pada sektor pendidikan dapat dilakukan melalui Perizinan Berusaha*” (Licensing in the education sector can be carried out through Business Licensing). It not only provides less information stated in the law but also provokes controversies because education runs through business licensing. The phrase “*Perizinan Berusaha*” (business

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licensing) creates controversy as it can be interpreted that “business actors” can administer education.

The meaning of business licensing, according to Article 1 point 4 of the Job Creation, is legality granted to business actors to start and run their business and/or activities in education. Although legal documents are commonly controversial in practice, the phrase “business licensing” provokes more controversy due to the established practices of education in Indonesia. Thus, the education issue in legal documents should strongly concord with the principles that legal writing must possess four criteria: clear, accurate, precise, and concise. Clear legal writing should avoid using ambiguous or unclear language and avoid using overly complex legal words. Proper legal writing must ensure that the arguments presented are directly related to the legal issues being discussed (Osbeck, 2012). The statement indicates that the use of complex legal language can cause serious problems, such as misunderstandings, that can affect not only the legal system but society as a whole. The difficulty in understanding legal language can also cause problems within the legal system itself. The education issue leads to more controversy, and it is difficult for the public to understand if it is ambiguous with public expectations and common practices. The use of language that is easier to understand with reference to audience cognition, such as educational practices, will make the law more accessible to the public and can help prevent misunderstandings in legal terms. Legal language must pay attention to the context and complexity of the legal issues to ensure that the information rendered in the law is precise and accurate (Assy, 2011).

Current research on language and law and how people interpret the meaning stated in the laws and regulations has been conducted to identify the features of legal language as the references for interpretation. Anatolevna (2023) looked into the features of word collocations and combinations in German to validate how those combinations lead to people’s interpretations. Igorevna (2023) identified some pragmatic aspects in the use of English modal verbs as the points that lead people’s interpretation and define what legal linguistics is to help make meanings of legal texts. More specifically, Bandov (2023) identified unique language construction in legal texts, leading to different interpretations of legal content. Lukin and Marrugo (2023) used several concepts of linguistics, including register, corpus, and grammatical patterning of the legal texts, to correctly interpret the purpose and leads of the proposition of the legal texts. Łaziński et al. (2022) investigated the use of language in criminal law by comparing it to that of other rules and regulations to confirm how language could potentially yield ambiguous interpretations. Some

other studies have explored other linguistic features of legal texts, such as clauses (Biel, 2016; Dragoni et al., 2016; Kubuj, 2022), Syntactic features (Bartolini et al., 2004; Cozma, 2017; Gustafsson, 1984; Venturi, 2012), discourse and genres (Berūkštienė, 2016; Breaux, 2009; Robertson, 2011). The deployment of linguistic concepts to understand legal texts shows the potential of linguistics in deconstructing texts and revealing the essential meanings adjusted to the purpose of the research. This study aims to add to the previous studies by deploying lexical cohesion as a tool to uncover knowledge shared in the public’s interpretation of the legal text. Utilizing lexical features allows the process of text deconstruction to unravel the foregrounded discourse (see Madrunio, 2022; Vass, 2017).

The issuance of Article 65 in the context of this study leads to several assumptions. Paragraph (1) is tantamount to placing education as a traded commodity, especially in intertextual relation with Article 1 of Law Number 3 of 1982 concerning the mandatory registration of companies. Accordingly, the article defines business as any action, deed, or activity in the economic field that is carried out to gain profit or profits. Thus, licensing in the education sector is implemented through business licensing, as referred to in the Job Creation Law, which means placing education for profits. This is further stated to be contrary to the preamble of the 1945 Constitution of the Republic of Indonesia (UUD 1945), which states that one of the goals of the state is to educate the nation. Then, it is emphasized in Article 31 of the amendment of the 1945 Constitution, which states that education is the right of every citizen and the state is obliged to finance it, at least up to the level of basic education. (Darmaningtyas, 2020).

Based on the above-rendered assumptions, this study more specifically attempts to investigate intertextual meanings of public interpretation of Article 65 with regard, especially to the point: “Licensing in the education sector can be carried out through Business Licensing” and the potential implications of Article 65 on the administration of education in Indonesia drawing from public interpretation. This study focused on drawing the line of perspectives from the public interpretation of Article 65, which placed education as a commodity by relying on how lexical cohesion foregrounds a conception.

It is significant to investigate because the government, regardless of the controversies, on October 5, 2020, passed the draft of the Job Creation Law at the first session of the 2020–2021 Parliament plenary Meeting, namely Law Number 11 of 2020 concerning Job Creation. Seven out of nine political parties expressed their support, while two political parties rejected the ratification of the draft Job Creation Law at the Plenary Meeting. On November

25, 2021, the Constitutional Court (MK) ruled that Law Number 11 of 2020 concerning Job Creation or the Job Creation Law is formally flawed. Through Constitutional Court Decision Number 91/PUU-XVIII/2020, the Constitutional Court stated that the Job Creation Law was conditionally unconstitutional and asked the government to fix it within 2 years at the latest. Instead of amending the law, the President issued a Government Regulation in lieu of Law Number 2 of 2022 concerning Job Creation law (*Perpu Cipta Kerja*) on December 30, 2022, because there was a compelling urgency to anticipate the threat of an economic crisis (Pebrianto, 2023). To investigate the public's cohesive interpretation, this study has chosen lexical cohesion in the discourse grammar to be considered the appropriate tool to meet the purpose of this study.

This study focuses on the extent to which the controversies, as expressed in public opinions, come to a cohesive discourse, potentially affecting educational practices. This study is guided by the following question: What conceptual meanings are made in the public interpretation of Article 65, especially regarding "Licensing in the education sector"?

With regard to the context of law formulation, public interpretation may lead to a picture of public understanding of the law and the lawmakers' juridical literacy skills and practices from the case of interpretation and making of Job Creation Law.

Omnibus Law

The word omnibus comes from Latin, which means "for all" (Toruan, 2017). In Black's Law Dictionary, the definition of omnibus law is "For all or in whole." It contains two or more things that stand alone. It is often used in bills that consist of more than one general subject (Black, 1990). Thus, the Omnibus Law is a law whose substance revises and/or revokes many laws (Putera, 2021). This concept was developed in common law countries with the Anglo-Saxon legal system, such as the United States, Belgium, England, and Canada. The concept of the omnibus law offers fixation to problems caused by too many regulations (over-regulating) and overlapping (overlapping). If the problem is solved in a common way, it will take a long time and cost a lot, not to mention the process of designing and formulating laws and regulations, which often creates deadlocks or is not in accordance with interests. (Lararenjana, 2020).

The concept of the Omnibus Law in Indonesia is still relatively new and controversial because it allows for the changing of many regulations in one act. However, using the Omnibus Law can also help speed up harmonizing laws and regulations in Indonesia (Fitryantica, 2019). The concept of the omnibus law is a solution to simplifying too many regulations, as currently experienced by Indonesia. Apart from being too many in number, these

regulations also overlap. The Omnibus Law is a legal concept that focuses on simplifying the number of regulations because it revises and revokes many laws at once. However, it should be realized that regulatory issues are a complete problem not only because there are too many numbers but also because of disharmony, public participation, sectoral ego, and content that does not match the content material (Lararenjana, 2020). Basically, there is a problem of conflicts between government administrators who are currently carrying out innovations or policies that clash with laws and regulations. Thus, the concept of the omnibus law is one way out that the government might take (Ufunan, 2017). The Omnibus Law needs to make efforts to harmonize laws and regulations in Indonesia so that they do not conflict with higher legal principles (Mahy, 2022).

Lexical Cohesion in the Discourse Grammar

Discourse grammar refers to the study of the structural and functional aspects of language beyond the level of individual sentences, focusing on how language is organized and used in longer stretches of text, conversations, or discourses to convey meaning, coherence, and communicative intent (Halliday & Hasan, 1976). Different from sentence-level grammar, discourse grammar examines how sentences are connected, organized, and used to create meaningful communication in various contexts. It is used to create meaningful communication in various contexts. Discourse grammar encompasses various elements, including coherence and cohesion, information structure, discourse markers, speech acts, genre and register, turn-taking, discourse patterns, and reference systems dominantly used in the text.

Research on discourse grammar encompasses a wide range of topics and approaches, spanning linguistics, communication studies, cognitive science, and more. The system of coherence and cohesion in the text has been researched (e.g., Graesser et al., 2004; Ramos, 2002) to investigate how ideas are built and developed, involving the analysis of how sentences and ideas are connected to create a cohesive and coherent text in many contexts such as interpretation and translation process (see Ramos, 2002). Those studies examine the use of various cohesive devices, such as pronouns, conjunctions, and discourse markers, and how they contribute to the flow of information and meaning within the text. Those studies have yielded findings beyond the understanding of sentence structure, which expands the understanding of what sort of discourse the text is trying to accomplish. It can explore the speakers' and writers' strategies to introduce new information and refer back to previously mentioned information. For example, the features of discourse, such as the dominant use of metonymy, synonymy, antonymy, and meronymy,

are indicators for making the text cohesive in accomplishing the purpose of communication. Any texts, including legal texts, are meaningful if they are tied together. Halliday and Hassan (1976) indicated some linguistic features that tie the ideas together, such as pronouns, references, conjunctions, lexical bundles, and thematic relations (see also Paltridge, 2006). Halliday and Hasan (1976), as rewritten in Paltridge (2006), identify repetition, synonymy, hypernymy, hyponymy, antonymy, collocation, and thematic structures that serve as semantic relations to produce cohesion. Words appear again in various forms and meanings to elaborate on the topic being presented. The system of cohesion applies not only to a certain text but also to all texts to make meanings. However, in legal texts and contexts, in addition to making appropriate legal interpretations, readers of legal documents should be aware of the principles of legal interpretation to align with the state's goals and the objectives of the law as a whole (Roses, 2020). The interpretation should relate two significant points: the legal texts and their grammatical structure, including word usage, social context, and history of language use (Askarial, 2018; Ginting, 2019). In interpreting legal texts, intertextuality is usually made by relating them to other statutory regulations, laws, or the entire legal system to investigate the overlaps or inconsistencies between legal regulations (Askarial, 2018; Mawar, 2020). Discourse grammar in this study is used to help investigate the shared conception of the public in interpreting legal statements.

METHOD

This study followed a discourse analysis of the public interpretation of Article 65, especially regarding the issue of "Licensing in the education sector" and the potential implications of Article 65 on the administration of education in Indonesia. This study followed a concept of grammaticalization in discourse, including lexical linkages and systems in texts that make them cohesive in the discourse construction (Dang, 2020; Klebanov et al., 2019; Paltridge, 2012). Those research studies and conceptual frameworks used Halliday and Hasan's (1976; 2014) system of cohesion in language to understand discourse in general. The system of cohesion is part of discourse grammar to understand how a text is cohesively constructed (Paltridge, 2012), and specifically political discourses (Dang, 2020; Klebanov et al., 2019) to complement the interpretation of the discourse system rendered by the public under study.

Data

The data were gained from the public opinions of the substance of Article 65 paragraph (1) of Law Number 11 of 2020 concerning Job Creation as

amended by Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation, which reads: *Pelaksanaan perizinan pada sektor pendidikan dapat dilakukan melalui Perizinan Berusaha sebagaimana dimaksud dalam Undang-Undang ini* (the administration of licensing in the education sector can be carried out through Business Licensing as intended in this Law). As public opinions are accessible online as a community website, this study selected the data that gained the most comments and identified them as prominently influential actors. Their interpretation has been distributed and circulated as a discourse (see Fairclough, 2023). According to Fairclough, the texts are discourses if they bring impacts. The impact of this is to mobilize people's opinions. The data were gained from each of the following websites:

1. *Aliansi Akademisi* (Academics Association) (Aji, 2020)
2. *Lembaga Bantuan Hukum* (Legal Aid Agency) (Ady Thea, 2023)
3. *Perkumpulan Keluarga Besar Taman Siswa* (Taman Siswa Family Association) (Merdeka.com, 2020)
4. *Forum Serikat Guru Indonesia* (Indonesian Teacher Union) (Larasati, 2020)
5. *Lembaga Pendidikan Ma'arif Nahdlatul Ulama* (Ma'arif Nahdlatul Ulama (NU). Educational Institutions) (Putra, 2020)
6. *Pengamat Pendidikan* (Education Observer Group) (Pradewo, 2020)

Those unions and institutions have proposed an interpretation of Article 65 regarding educational licensing. The data were selected from only a text from each data source, which gained more comments from readers to investigate the taxonomies or central concepts driven by the use of the cohesive and discourse grammar system. Further interpretation of this study is based on legal interpretation (see Assy, 2011). The interpretation is based on the substance of Article 65 of the Job Creation Law:

- (1) *Pelaksanaan perizinan pada sektor pendidikan dapat dilakukan melalui Perizinan Berusaha sebagaimana dimaksud dalam Undang-Undang ini* (The administration of licensing in the education sector can be carried out through Business Licensing as intended in this Law)
- (2) *Ketentuan lebih lanjut pelaksanaan perizinan pada sektor pendidikan sebagaimana dimaksud pada ayat (1) diatur dalam Peraturan Pemerintah* (Further provisions for the administration of licensing in the education sector as intended in paragraph (1) are regulated in a Government Regulation.

Analysis

The data analysis in this study was carried out by identifying cohesive devices to build a schematic

structure of thoughts as expressed in the interpretation. Cohesive devices depict classifications (taxonomies) or activities as potential meanings (Halliday & Hasan, 1976) by using the ^ means consequences and = signifies similarity. Martin and Rose (2003) developed the potential meanings by representing the field or conceptual knowledge being built in the text. Thus, the first stage of analysis was to identify the conceptual knowledge being shared or imposed on readers. Then, the analysis continued by identifying lexical cohesion, which described how the conceptual knowledge was constructed. The analysis focused on whether conceptual knowledge was developed by using taxonomies or activities relying on the cohesion system. The next stage of analysis is reviewing the result of the first analysis stage. The analysis focused on how the constructed conceptual knowledge in the interpretation made sense with reference to the currently enforced regulations in administering education in Indonesia. The last stage of analysis was explaining the discourse's impact on education administration in Indonesia from the perspective of positive legal norms.

FINDINGS

The discourse of the public interpretation of "Licensing in the education sector"

The analysis of cohesive system and discourse grammar indicates that their interpretation was built by a taxonomy system depicting conceptual meaning to amplify the focal discourse impacts of the law enforcement that has been circulated among the public. The taxonomy is meant to be categorized by the choice of lexis representing ideological perspectives (Hunston, 2013). In this study, the taxonomy was constructed by repeated words and definitions to enunciate the possible discourse impacts of the word "licensing," as stated in the Article.

Synonymy

Synonymy is a linguistic feature that orchestrates the relationships between words or phrases with similar meanings and interchangeable quality for certain contexts. Synonymy can be realized by words that share a common or very similar meaning with another word or similar sense (Paltridge, 2012). In the texts, synonymy serves to add variety to communication and different shades of meaning. In some cases, not all synonyms are completely interchangeable due to subtle differences in connotation, usage, and formality. This fact maintains the role of synonyms to essentially support effective communication. The use of synonymy in a text can enhance its readability and maintain the flow of idea presentation.

The cohesive analysis of the data indicates that synonyms were used to clarify the discourse impacts of the educational licensing issue.

Text 1

Menurut Cahyono Agus, bahwa dalam "Paragraf 12 Pasal 65 UU Cipta Kerja masih mengatur mengenai perizinan sektor pendidikan melalui Perizinan Berusaha. Keberadaan pasal ini sama saja dengan menempatkan pendidikan sebagai komoditas yang diperdagangkan untuk mencari keuntungan (According to Cahyono Agus, "Paragraph 12 of Article 65 of the Job Creation Law still regulates licensing for the education sector through Business Licensing. The existence of this article is tantamount to placing education as a commodity that is traded for profit) (*Perkumpulan Keluarga Besar Taman Siswa* (Taman Siswa Family Association)

Text 1 exemplifies how synonyms were used to clarify the discourse impacts of the educational licensing issue.

Perizinan (licensing) = *perizinan berusaha* (Business licensing)
pendidikan sebagai komoditas (education as a commodity) = *Pendidikan diperdagangkan* (that is traded) *demi keuntungan* (for profit).

Another text of opinions, as shown in text 2, shows how the public reacted to the law by deploying synonyms to clarify the discourse impacts of law enforcement.

Text 2

Undang-undang Cipta Kerja (Ciptaker) yang baru disahkan oleh DPR ternyata masih memasukkan pasal pendidikan di dalamnya. Federasi Serikat Guru Indonesia (FSGI) merasa khawatir jika pasal ini berpotensi menjadi jalan masuk kapitalisasi pendidikan. Menurut Heru Purnomo, Sekjen FSGI bahwa, "Keberadaan pasal ini sama saja dengan menempatkan pendidikan sebagai komoditas yang diperdagangkan (The Job Creation (Ciptaker) Law which was just passed by the DPR apparently still includes an education article in it. The Federation of Indonesian Teachers' Unions (FSGI) is worried that this article has the potential to become a way to capitalize on education. According to Heru Purnomo, Secretary General of FSGI, "The existence of this article is tantamount to placing education as a traded commodity) (Indonesian Teachers' Union Forum)

The sequence of ideas tends to express impacts and synonymy relation to amplify the other text voiced by the public on the discourse impacts of the law on the administration of education. The sequence of activities was used to show the impacts of law enforcement, while the synonymy was used to elaborate the meaning of education as a business.

UUD Cipta Kerja (Ciptaker) (Job Creation Law) = *jalan masuk kapitalisasi pendidikan* (a way to capitalize on education)
komoditas yang diperdagangkan (commodity). ^
perizinan berusaha (business licensing)

Mencari keuntungan (searching for profit) = mencari laba (searching for profit) wajib daftar perusahaan (as a traded commodity) ^ tindakan, perbuatan atau kegiatan apa pun dalam bidang perekonomian (action, deeds or activities or anything in the economic sector)

The text above was written to voice the impacts of the Job Creation Law enforcement on the administration of education in Indonesia (as instantiated in the sequence of Job Creation Law ^ Education). The use of synonyms also applies to naming the law, as shown in text 3.

Text 3

Aliansi ini mengajak civitas akademika di berbagai kampus untuk meningkatkan perlawanan terhadap UU Cipta Kerja atau omnibus law beserta seluruh aturan turunannya (This alliance invites the academic community on various campuses to increase resistance to the Job Creation Law or omnibus (Job Creation Law = Omnibus law plus all its derivative regulations) law and all its derivative regulations) (Academics Association)

UU Cipta Kerja (Job Creation Law) = Omnibus law beserta seluruh aturan turunannya (Omnibus law plus all its derivative regulations)

Consequential Classification

The analysis of the cohesive devices deploying lexical choices also indicates an attempt to build a classification, that is, a categorization process that leads to significant consequences for law enforcement. In legal contexts, classification could pertain to the classification of certain actions, behaviors, or entities that bring significant compliance implications. The texts were built by classifications, as shown in the use of words (metonymy or meronymy), respectively, which means part of a whole or kinds of. The use of this discourse grammar contributes to text cohesion so that readers will see the flow of ideas and relationships between concepts. The data on public opinion shows the relationships between the issues being discussed. The classification helps organize words or ideas in a logical and coherent manner, and at the same time, a concept or idea is developed. The classification also reinforces the message and maintains consistency throughout the text, drawing the readers' attention to crucial information. When words are grouped and categorized in a certain way, they indicate the aspects of the text being discussed. The consequential classification is found in the following data.

Text 4

Menurut Arifin Junaidi, Ketua Lembaga Pendidikan Ma'arif Nahdlatul Ulama (NU), merasa kecewa dengan masih masuknya klaster pendidikan di Undang-undang Cipta Kerja (UU Ciptaker) yang baru saja disahkan DPR tersebut. Karena Sebelumnya ketua Komisi X DPR sudah menyampaikan kepada kami, kepada masyarakat bahwa soal pendidikan ini di-drop dari UU Cipta

Kerja. Dalam Pasal 65 pada UU Cipta Kerja dijelaskan, jika pelaksanaan pendidikan dapat dilakukan melalui perizinan berusaha. Artinya penyelenggaraan pendidikan berorientasi pada kegiatan mencari keuntungan dan atau laba (Nahdlatul Ulama Maarif Educational Institution) (According to Arifin Junaidi, Chair of the Ma'arif Nahdlatul Ulama (NU) Educational Institution, he was disappointed with the inclusion of educational clusters in the Job Creation Law which had just been passed by the Indonesian parliament. While before it had been dropped from the Job Creation Law. It had been explained that if the education is administered through business licensing, the education practices are oriented towards profit-seeking activities.)

pelaksanaan pendidikan dapat dilakukan melalui perizinan berusaha (the education implementation can be done conducted via business licensing) ^ mencari keuntungan/laba (profit-seeking activities)

The last part of the sentence indicates that education is part of the Job Creation Law, which brings consequences to its entity as a commodity working for profits. The relation of meaning is relational, depicting the consequential relation between licensing and educational practices. Some more specific consequences from the categorization of education can be found in text 5, expressed by the education observers.

Text 5

Menurut pengamat pendidikan Darmaningtyas, bahwa keberadaan Pasal 65 dalam UU Cipta Kerja sama saja dengan menempatkan pendidikan sebagai komoditas yang diperdagangkan. Apalagi jika melihat kembali Pasal 1 UU No 3 Tahun 1982 tentang wajib daftar perusahaan. Pasal itu mendefinisikan usaha sebagai tindakan, perbuatan, atau kegiatan apa pun dalam bidang perekonomian yang dilakukan untuk memperoleh keuntungan atau laba. "Jadi, kalau pelaksanaan perizinan pada sektor pendidikan dilakukan melalui perizinan berusaha sebagaimana dimaksud dalam UU Cipta Kerja, berarti menempatkan pendidikan untuk mencari keuntungan" (According to education observer, Darmaningtyas, the existence of Article 65 in the Job Creation Law is tantamount to placing education as a traded commodity. Especially if you look back at Article 1 of Law No. 3 of 1982 concerning mandatory company registration. This article defines business as any action, deed or activity in the economic sector that is carried out to obtain profit or profit. "So, if the implementation of licensing in the education sector is carried out through business licensing as intended in the Job Creation Law, it means placing education for profit)". (Education Observers)

Education is categorized as a commodity that brings logical and practical consequences. A commodity chosen to replace education administration has been repeated in four text samples. The repeated word group was taken as the essential point to imply some consequences. The text has the following pattern of consequences:

Education = a commodity = business in any action = deal or activity in the economic sector ^ carried out to obtain profit ^

A commodity ^ a traded commodity ^ mandatory company registration ^ replacing education for only profit.

Similarly, text 6 has a similar pattern to text 5, in which the opinions began with a categorization of education as a commodity and then proceeded with some potential consequences.

Text 6

Menurut LBH Jakarta, UU Cipta Kerja ini dinilai inkonstitusional baik dalam prosedur penyusunan maupun substansi pengaturannya yang mengakibatkan kondisi perlindungan hukum dan kesejahteraan semakin buruk. Direktur LBH Jakarta, Arif Maulana berpendapat jika Presiden Jokowi konsisten menjalankan amanat UUD NRI 1945 dan menempatkan kepentingan rakyat di atas kepentingan golongan atau oligarki, maka UU Cipta Kerja seharusnya dicabut lewat eksekutif review (According to LBH Jakarta, the Job Creation Law is considered unconstitutional both in the drafting procedures and the substance of the

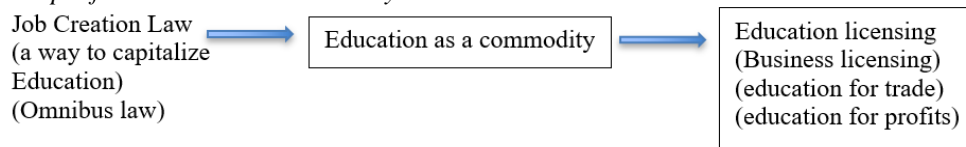
regulations, resulting in worse conditions of legal protection and welfare. Director of the Indonesian Legal Aid Agency LBH Jakarta, Arif Maulana believes that if President Jokowi consistently carries out the mandate of the 1945 Constitution of the Republic of Indonesia and places the interests of the people above the interests of groups or oligarchs, then the Job Creation Law should be revoked through an executive review). (The Indonesian Legal Aid Agency)

The Job Creation law = unconstitutional law ^ worse legal protection and welfare = the interests of the people above the interests of groups = oligarchs

Overall, the represented public interpretation involving the definition of the law by naming it differently is deploying a synonym that impacts the degree of clarification. Identifying synonymy in public interpretation results in a taxonomy that the speaker tries to build consciously or unconsciously, while the impact of law enforcement is visualized as an inevitable concept of education as a commodity unless, otherwise, the law is not enforced.

Figure 1

Concept of Education as a Commodity



The use of synonyms is intended not only to avoid repetition, clarify meaning, vary sentence structure, connect ideas, and maintain flows but also to emphasize key points the authors highlight as essential concepts or ideas. Using synonyms can also help prevent ambiguity; therefore, the authors often used synonyms to provide additional contexts or clarification.

DISCUSSION

The juridical consequences of the meaning of Article 65 paragraph (1) of the Job Creation Law later become the cause of resistance to the inclusion of education clusters in the Job Creation Law. Findings indicate the inclusion of education clusters in the Job Creation Law, despite only 1 (one) article, namely Article 65, receiving a wave of rejection from various elements in society. Based on the discourse cohesion grammar analysis focusing on lexical cohesion, the substance of Article 65 of the Job Creation Law provides a way and an opportunity for corporations to be involved in the Indonesian education system. With the Job Creation Law, business units other than foundations or associations can expand their business in the education sector. This article paved the easy way for the government to issue business licensing policies

in the education sector. As explained above, the relationship between the meaning of “Business Licensing” (vide Article 1 number 4 of the Job Creation Law), the meaning of “Business Actor” (vide Article 1 number 7 of the Job Creation Law), and the meaning of “Business Entity” (vide Article 1 number 9 of the Job Creation Law) shows that the contents of Article 65 paragraph (1) of the Job Creation Law can provide space for corporations to manage education as a commodity by regulating education permits as profit/non-profit business permits.

Furthermore, Law Number 12 of 2012 concerning Higher Education has locked this sector under “non-profit principles” in running higher educational institutions. Article 60 of Law Number 12 of 2012 stipulates that (1) The Government establishes public higher institutions, (2) The Community establishes private higher educational institutions by forming a legal entity organizing body with a non-profit principle and must obtain permission from the Minister, (3) The organizing body can serve as a foundation, association, and other forms in accordance with statutory provisions. Furthermore, this non-profit principle is also contained in the management of autonomy as stated in Article 63 of Law Number 12 of 2012, stating that “The management of higher educational

institutions is carried out based on the principles of accountability, transparency, non-profit, quality assurance, and effectiveness and efficiency.”

However, Article 65 paragraph (1) of the Job Creation Law still provides room for the education sector to be privatized by investors. Even though the government claims that the administration of this business licensing only applies to special economic zones, a check and balance mechanism is needed so that educational service providers do not just become companies that only care about profits.

The implications of this licensing policy for education in the provision of education in Indonesia are, in fact, the release of the permits for educational institutions as businesses. This will cause the public to fail to understand because business permits cover all aspects of economic activities as stated in Article 1 letter d of Law No.3 of 1982 concerning Mandatory Company Registration (Asmara, 2020). Being included as one of the favorite business sectors in the 21st century, education is considered the most promising sector, along with information technology and wellness. On the other hand, Indonesia is bound by the international commitment that education is included in the service sector, which is recognized by the General Agreement on Tariffs and Trade (GATT). Therefore, the Job Creation Law in the education cluster has to accommodate investment in the nature of trade services commodities (Asmara, 2020).

From a juridical-normative perspective, the formation of statutory regulations is the creation of statutory regulations which include stages 1) planning, 2) drafting, 3) discussion, 4) ratification, and 5) promulgation (see Article 1 point 1 of Law No. 12 Year 2011). Meanwhile, what is meant by interpretation is a method of legal discovery that provides a clear explanation of the legal text so that the rules of scope can be determined in relation to certain events (Mertokusumo, 1993). What is meant by legal consequences is that the implications of a legal event are consequences caused by the law on an action carried out by a legal subject (Ali, 2008). The contrast has been evidenced in the public interpretation of the legal statements. The knowledge shared by the public in the interpretation represents people’s shared ideas. As indicated by lexical choices used in presenting the interpretation of the law, their ideas are justified by their common sense and their cognition about education and the impacts of law enforcement. However, the public-justified cognition has been challenged by the process and procedural stages of law formulation. The analysis of public interpretation indicates public shared knowledge to reject law enforcement. This study echoes other studies that rely on the interpretation of the intended articles and relate the interpretation to the understanding of statutory regulations, which often find contrasts in the

directions of the stated laws (such as Bagchi, 2019; Martens & Golub, 2021; Michael et al., 2021).

CONCLUSION

The discourse grammar analysis focusing on the public opinions’ texture discloses the use of synonyms to elaborate on what education licensing is and the impacts of education licensing. The meanings of the public opinions are interpreted with reference to various relevant statutory provisions. Based on the public opinion’s interpretations of the Job Creation Law, Article 65 paragraph (1) of the Job Creation Law stipulates that the administration of education should be carried out through business licensing. The impact of law enforcement is that Civil Partnerships, Firms, and Limited Liability Companies, and legal entities, namely, Limited Liability Companies and Cooperatives, can carry out business in the education sector. The law practice challenges the provisions of positive law in Indonesia regarding the implementation of education that the community should organize. In that, education can only be carried out by “organizing bodies with legal entities,” namely foundations, associations, and other similar bodies (vide Article 60 paragraph (2) of Government Regulation Number 66 of 2010 jo Minister of Education and Culture Regulation Number 36 of 2014).

The enforcement of Article 65 of the Job Creation Law provides a way and opportunity for corporations to enter the Indonesian education system. With the Job Creation Law, business units, in addition to foundations and associations, can expand their business through the education sector. The enforcement of this article enables the government to issue business licensing policies in the education sector and allow all units to seek profits. The accessibility of understanding legal documents often relies on the interpretation of relevant documents to see the consistency in formulating them. This study has shown an intertextual analysis of discourse grammar features of public opinions and the content of other laws to validate the cohesive orientation of the opinions as a tool to drive lawmakers to compromise their decisions in law formulation. This discourse grammar analysis also instantiates juridical education to society in responding to a rising social issue. This study justifies other studies (such as Blandino, 2024; Kaufman, 2023) on the roles of linguistic features in informing logical levels of perspectives and scholarly criticism related to law enforcement.

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