

## THE INDONESIAN GOVERNMENT'S LEGITIMATION TOWARD OMNIBUS LAW ON JOB CREATION: A CRITICAL DISCOURSE ANALYSIS STUDY

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### ABSTRACT

Omnibus law on Job Creation passed in 2021 by the Indonesian Government has sparked a nationwide protests from many elements of societies. In this case, with its positive belief in the law, the government has to legitimize it so that it obtains approval from the society. This study seeks to answer the legitimation strategies employed by the government to convince the societies regarding the positive sides of this law implementation. To attain its objective, the current study used qualitative approach with critical discourse analysis as its method and Leeuwen's framework on legitimation strategies as its analytical toolkit. The data was obtained from five giant online newspapers, namely The Jakarta Post, Serambi Indonesia, Kompas, CNN, and Republika from which 14 articles related to UU Cipker were extracted by means of Google search engine. The result of data analysis reveals that the government employed the moral evaluation strategy, rationalization strategy, and authorization strategy. Out of the three strategies, moral evaluation which is a legitimation built by referring to various moral values, was employed dominantly. Finally, this study suggests the society to critically listen to, read, and understand the government's language. This study can also be used as a reference by English teachers to legitimize each material presented to motivate their students to be life-long learners by telling them why they should learn those presented materials.

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### INTRODUCTION

Indonesia's Law on job creation (also called UU Cipker in Indonesia) is one of the laws made through an omnibus law approach in 2020. According to Putra (2020), the Omnibus Law is a method to revise and combine several laws that overlap into a simpler legal product containing all the materials of the existing laws. Although the purpose of this omnibus law is to simplify some existing laws, UU Cipker made by the legislative member through the Omnibus Law approach has drawn criticism and mass protests from various groups such as academics, human rights and law activists, trade unions, and students all over Indonesia. In fact, workers and students throughout Indonesia held large

demonstrations to cancel the draft which was considered a 'heaven' for foreign investors and oppressed the domestic workers' rights.

Although UU Cipta is considered detrimental to many parties, almost all members of political parties in the Indonesian parliament along with the government insist on defending this law. They think otherwise that this law provides benefits for the Indonesian economy, one of which is reducing unemployment. Through their written and oral narratives, the policy makers have tried to convince the community that this law will be beneficial to improve Indonesians' welfare, expecting that this law gains legitimacy in the eyes of the Indonesian people.

Legitimation cannot be separated from language use. Language has very diverse functions, one of which is to justify a social action. This function is called the legitimation function of the language. In more detail, Reyes (2011) defines the legitimation function in language as an act to justify social practices through written and spoken language to gain and/or maintain power, approvals from others, relationships with others, and popularity and fame. Relating to this study, the purpose was to answer what legitimation strategies are used by Indonesian government to convince Indonesians about UU Cipta so that those against this law can be 'silenced' and willingly accept this law.

This study was expected to produce both theoretical and practical significances. Theoretically, this study was able to construct a model of legitimation strategies in political discourse which can be used as an analytical tool for further relevant studies. Practically, the legitimation strategies presented in this study can be implemented by people when they try to convince others to believe in their ideas.

Although political discourse studies have been conducted in Indonesia, this study has different focus from those previously carried out. Previous research on political discourse has focused on the function of common sense and ideology in language (Karim, 2015), speech structure (Madkur, 2018), micro-structure (Setiana, Munaris, & Fuad, 2015), and modality in the 2014 Indonesian presidential debate (Faradi, 2015). Thus, there has been no research investigating the legitimation strategies in political discourse analysis through print media such as newspapers. Therefore, this study is expected to be able to fill the void of political discourse literature by producing a basic model of legitimation in print media.

## LITERATURE REVIEW

### Political Discourse Analysis

In general, discourse is the use of language orally and in writing in everyday life (Mills, 1997). One type of discourse is political discourse which has several characteristics (vanDijk, 1997). The first characteristic is the actor, namely the politician. The study of political discourse involves analyzing the spoken and written language of a prime minister, president, parliamentarians, members of political parties, and even civil society and organizations involved in the political process (Verba, et. al., 1993). The second characteristic is that a political discourse is related to activities or practices of a political nature, such as regulating, ordering, making/designing regulations or laws, protesting, disputing, or voting. Thus, a discourse about the personal life of a politician who has no relationship with politics is not a political discourse at all even though the participant of

the discourse is a politician. The third characteristic is context such as time, place, circumstances, opportunity, function, purpose, and legal or political implications. Looking at these characteristics, this study can be categorized as political discourse analysis as the objects of analysis were the legitimation strategies constructed by the legislative members and Indonesian government who defended a controversial law, UU Ciptaker, made as a part of their political functions as legislators and executors, respectively.

Political discourse is often used to legitimize a political activity, such as passing laws. The function of legitimation is closely related to the political world because most of the policies made by policy makers are against the wishes of the people. Thus, legitimacy is very common in the political arena.

### **Legitimation Concept**

Legitimation is carried out to convince a person or group that an idea or social action deserves to be accepted and carried out for the common good, so that such idea and action obtain public trusts (Vaara & Tienari, 2008; Said, 2017). Thus, legitimation discourse attempts to find answers to 'Why' questions (e.g. why should we do it? or why should we do it in this way?). In his research, Said (2017) found that legitimacy is effectively used to gain public acceptance because through legitimacy, discourse makers can create general perceptions or assumptions that legitimized social ideas or actions are represented as desirable, true, normal, appropriate, or in accordance with a system of norms, values, and beliefs in a group of people. Thus, legitimation functions as a symbolic power (Bourdieu, 1991) to gain and maintain power so that it becomes an important concept and practice in political discourse.

### **An Existing Model of Legitimation Strategies**

Leeuwen (2007; 2008) has mapped out four legitimation strategies in justifying a controversial social act, namely authorization, moral evaluation, rationalization, and mythopoesis and the following discussion is the summary of his theory on which this study was based on. Legitimation through Authorization is constructed by referring to certain authorities which include (1) personal authority ("I, as your representative, says..."), (2) expert authority ("Prof. X say..."), (3) role model authority ("Ronaldo uses..."), (4) impersonal authority ("Based on law X..."), (5) the authority of tradition ("Based on our culture..."), and (6) the authority of conformity ("The same as developed countries..."). All of this directly answers why something is done without having to refer to the moral consequences of the act.

Moral Evaluation is the next strategy. This legitimation is built on reference to the positive moral consequences of actions that are intended to be legitimized. Moral evaluation has sub-types, namely evaluation, abstraction, and analogy. Firstly, Evaluation is formed by using adjectives that have a positive moral meaning. The moral conveyed through the evaluation is easy to understand because discourse makers directly use adjectival words. For example, the adjective word "normal" in a sentence "That some people disagree with our decision is normal" directly gives the impression of moral 'fairness' (normal) that it is normal if not all parties agree with a decision, so that the

disagreement of several people does not require a decision maker to change his decision. Secondly, the moral values conveyed through Abstraction are more difficult to understand by discourse recipients because messages frequently does not use direct adjectives, making the recipients forced to draw their own conclusions about what morals are being built. Thus, the Abstraction based legitimation very often has implicit meaning. Thirdly, Analogy is built by comparing a social action being legitimized with other relevant social actions. For example, discourse makers may use conjunctions such as 'like', 'for example', 'same as', and 'likewise' to equate an action wanted to be legitimized with another relevant action which has previously gained legitimation.

The third legitimation strategy is Rationalization. This legitimation is used by explaining the usefulness and benefits of a social action or by representing a social action as being natural. The former is called Instrumental Rationalization, whereas the latter is termed as Theoretical Rationalization. However, not all Rationalizations that explain usefulness or benefits are able to provide legitimation meaning; only Rationalization which includes the usefulness as well as moral messages of an action can have legitimation meaning. For example, the sentence "We make this law to make people's life prosper" contains the answer why the law was made, and hence showing the usefulness of the law, while the moral message of this sentence is inscribed in the word 'prosper' . This strategy by Habermas (1976, P.11) is called 'strategic-utilitarian morality'.

The last legitimation strategy proposed by Leeuwen (2007;2008) is mythopoesis, namely legitimation that is built by explaining the benefits that will be obtained in the future if a legitimized social practice is implemented and the losses that will be shared if the practice is rejected. The former is called Moral tales, while the latter is named Cautionary tale.

For a clearer picture of Leeuwen's legitimation strategies, let us refer to the examples of each strategy in table 1 below:

Table 1. Leeuwen's Legitimation Strategies

Category	Sub-Category	"Why should I do this in this way?"
Authorization	Personal Authority	* because I say so * because so-and-so says so
	Expert Authority	* because experts say so * because Professor X says so
	Role Model Authority	* because experienced people say so * because wise people say so
	Impersonal Authority	* because the law says so * because the guidelines say so
	The Authority of Tradition	* because this is what we have always done * because this is what we always do
	The Authority of Conformity	* because that's what everybody else does * because that's what most people do
Moral Evaluation	Evaluation	* because it is <b>right</b> * because it is <b>natural</b> * because it is <b>perfectly normal</b>
	Abstraction	* because it has X (moralized) desirable quality
	Analogies	* because it is like another activity which is associated with positive values
Rationalization	Instrumental Rationalization	* because it is a (moralized) means to an end
	Theoretical Rationalization	* because it is the way things are * because doing things this way is appropriate to the nature of these actors
Mythopoesis	Moral Tales	* because look at the reward(s) this person achieved for doing it
	Cautionary Tales	* because look at the consequences this person suffered for not doing it

## RESEARCH METHOD

This critical discourse analysis research employed a qualitative approach. Qualitative research is conducted in natural contexts without manipulating a situation by providing treatment as in quantitative research (Setiana, Munaris, & Fuad, 2015). Critical discourse analysis can be a 'mediation' to find a red line between the practice of using language and social phenomena, in this case, legitimation discourse (Faradi, 2015). Furthermore, this research was conducted by analyzing the legitimation discourse in newspapers such as The Jakarta Post, Serambi Indonesia, Kompas, CNN, and Republika accessed via Google. Meanwhile, the subjects of this research were people supporting UU Cipker including Indonesian parliament members, the government, and members of political parties, policy observers, and experts/academics. To collect the data, the researchers performed a random search by typing key words that are closely related to UU Cipker in the search engine. After some related news emerged, the researcher read it carefully by paying attention to the legitimation strategies as the main data. It was then translated into English. Finally, the data was calculated by using the formula given by Sudijono (2006) to find the frequency as well as the tendency in the use of legitimation strategies to justify UU Cipker. The following is the formula used:

$$P = \frac{f}{N} \times 100\%$$

In which:

P = Percentage,

f = The frequency of a particular legitimation strategies

N = Total number of legitimation strategies

## RESULT AND DISCUSSION

Having comprehensively gathered the data, the researchers finally found 14 articles from five big newspaper, namely two articles from The Jakarta Post, three articles from Kompas, two articles from Serambi Indonesia, two articles from CNN, five articles from Republika. It indicates that Republika is the newspaper which vehemently supported the agenda of the government's legitimation on UU Cipker. Moreover, from all 14 articles, the researchers successfully collected a 4935-word corpus from which the data were derived and will be presented in this section. Furthermore, the discourse participants found to legitimate the UU Cipker in the studied articles included Indonesian President, Joko Widodo (JW), Coordinating Economic Minister, Airlangga Hartanto (AH), Legislative Council Chairman, Supratman Andi Agtas (SAA), Monitoring and Evaluation Chairman of UU Cipker from Presidency Staff, Edi Priyono (EP), Environment Minister, Sita Nurbaya (SN), General Secretary of Environment Ministry, (Bambang Hendroyono), Investment Minister/Chairman of Indonesia Investment Coordinating Board, Bahlil Lahadalia (BL), Presidency Staff Chairman, Moeldoko (M), vice chairman of youth wing of Functional Group Party (Golkar), Reza Fahlevi (RF). From all participants, the voice of Coordinating Economic Minister, AR, was the most dominant as UU Cipker is closely related to economic sector. This finding is in line with what the Director of Legal Aid

Institute, Arif Maulana, said that AR was among those who vehemently voiced the implementation of UU Cipker (CNN, 2021).

Moreover, in total, 46 strategies of legitimation were employed by the government to justify UU Cipker in the analyzed online newspaper. These 46 strategies were discovered to be divided into three main strategies proposed by Leeuwen (2007;2008), namely Moral Evaluation, Rationalization, and Authorization. The most dominant strategy is Moral Evaluation accounting for 35 cases or 76%, followed by Rationalization as many as 8 occurrences or 17% and Authorization for 3 cases or 7% (Figure 1.) This finding confirmed the previous legitimation discourse studies (Ananda & Sari, 2021; Said, 2017).

## CONCLUSION AND SUGGESTION

Simpulan dan saran dapat ditulis secara terpisah sebagai dua sub judul atau ditulis dalam satu sub judul. Simpulan harus berupa narasi dalam bentuk paragraf dan bukan dalam bentuk angka/numerik.

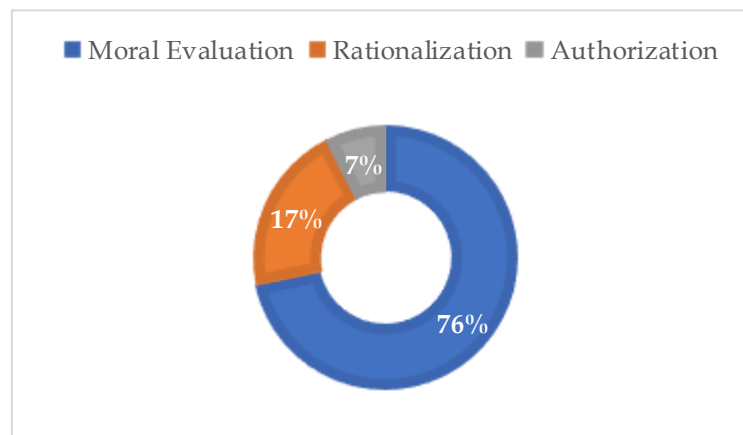


Figure 1. The Frequency of the Discovered Legitimation Strategy

Moral Evaluation is very closely linked to moral values which every society possess and becomes a standard of assessing what is good or bad. According to the great dictionary of Indonesian Language (Setiawan, 2021), moral means the teaching about goodness or badness which is accepted by public regarding an action, behaviour, and obligation. Since people easily accept actions, behaviour, and obligations which are subjectively true according to their social examination, a controversial policy in political context can to some degree be accepted by the public when it is explained with the reference to moral values living in such society. Moreover, it has become a trend in Politics in which politicians have harnessed moral issues to legitimize their actions to gain a wide support from the public (Lestari, 2022).

### Moral Evaluation

Moral evaluation answers 'Why' questions by reference to moral values and is constructed implicitly and explicitly. Implicit moral evaluation subjective, meaning that an utterance may be suspected as having a moral value by someone, but can be interpreted as a value-free expression. Therefore, implicit moral value has to be extracted from an utterance by looking at the whole utterance as it is not hinted by its particular

words or phrases and the ability to do so depends very much on the discourse analysts' socio-cultural and historical knowledge of the society in which an analyzed discourse occurs (Leeuwen, 2007;2008). Moreover, since implicit moral evaluation is not directly found in an utterance, it is also known as Abstraction. In contrast, explicit moral evaluation or also called Evaluation is easier detected as it is directly shown in an utterance through the use of adjectives denoting positive meanings in the case of legitimation such as 'cool', 'nice', 'positive', 'normal', 'natural' and so forth (Leeuwen, 2007;2008) or invoking negative meanings as regards with de-legitimation such as 'bad', 'wrong', 'negative', 'immoral', and others (Baldi & Franco, 2015).

This study found that moral evaluation by means of Abstraction occurred much more frequently than Evaluation, confirming the studies conducted by Ananda and Sari (2021) and Said (2017). There were 31 Abstraction found or 67.4% out of the total strategies, whereas merely 4 Evaluations or 8.7% of the total strategies were extracted from the data. Furthermore, the analysis of both sub-strategies describes the varieties of moral values used by the government to justify UU Ciptaker, including the moral values of care, optimism, firmness, security, cautiousness, efficiency, and transparency and speediness. The following is the discussion of each moral in detail.

- i. **Moral of Optimism.** Optimism is a positive viewpoint about future although there are many bad things going on at the moment. As Esikot (2013, p. 84) explains "... optimism is a positive psychological disposition about the future." It means that having optimism can instill a feeling of hope about future despite the present uncertainties and fear. This study found that the government campaigned the moral of optimism most often of all other aforementioned moral values (10 times) when legitimizing *UU Ciptaker* as if this law is a hope which takes all Indonesians to a brighter future. This discourse play is very excellent, considering that *UU Ciptaker* was passed during Covid-19 where a lot of people lost their jobs. In other words, *UU Ciptaker* was morally represented as a means for Indonesians to be optimistic that they could get out of the gloomy situation caused by the Covid-19 and arrived at a better future. Furthermore, Investment Minister/Chairman of Indonesia Investment Coordinating Board, Bahlil Lahadalia (BL), used this moral quite frequently as shown in the excerpt below (E1).

(E1) "*Ini adalah sebuah tanda baik, tanda positif, untuk bagaimana kita meyakinkan para investor global maupun dalam negeri bahwa posisi Indonesia ini sudah pada posisi yang tepat dan melakukan perubahan dari tahun ke tahun.*" [This is a good and positive mark for how we convince both global and domestic investors that Indonesia has been on a right track and made a change from year to year]

Reading this excerpt, we can understand that BL tries to legitimize by attributing the identity of *UU Ciptaker* as a change for Indonesia to be better in the future, thus instilling a moral of optimism in public.

- ii. **Moral of Care.** Care is another moral value frequently used by the government to legitimize *UU Ciptaker* (8 times). This moral is quite important, considering that we, human beings, are social in nature and need to take care of one another. In other words, care is the basic of morality and having this morality means being human.



Noddings (2002) firmly explains in her comprehensive theory of cares that care lies in the fundamental morality and therefore, its importance is universal, the idea which everybody collectively agrees. She further acknowledged that someone who does the caring expects nothing in return, yet he or she does it sincerely on the basis of the needs and expectations of the other who needs caring without assessing the latter's background. It means that sincerity is the basis of caring and this quality is definitely respected by anyone. Relating to this study, Monitoring and Evaluation Chairman of *UU Cipker* from Presidency Staff, Edi Priyono (EP), harness the moral of care most frequently to justify *UU ITE* as a saviour for small enterprises in Indonesia. Such enterprises are quite essential for the economic growth in Indonesia so that if this sector is not empowered, Indonesia is alleged to enter into an unprecedented crisis which takes Indonesia much away from prosperity. In this case, Singgih (2007) acknowledged that small enterprise is the biggest group of economic practitioner in Indonesia and has been proven as the key security of national economy during the worst crisis in 1998 as well as become the dynamiser of economic growth pasca economic crisis. Realizing this, EP played the legitimation discourse by justifying *UU ITE* as a means to save small enterprises in Indonesia badly impacted by Covid-19 as shown below (E2):

(E2) *"Dari aspek perizinan, pemerintah juga sudah memfasilitasi 1,3 juta usaha mikro dan kecil untuk mendapatkan Nomor Induk Berusaha (NIB) melalui sistem layanan perizinan online berbasis risiko (OSS RBA) yang dikembangkan oleh Badan Koordinasi Penanaman Modal (BKPM). [from permit aspect, the government has also facilitated 1.3 millions of small enterprises to obtain a business number through the risk-based online permit system developed by investment coordination council.]*

We can see that *UU Cipker* allows the small enterprises to get the business permit much more easily than before through online service. This demonstrates that the government cares for the growth of the public economy to achieve prosperity. Moreover, it is undoubtful that caring is the quality which everyone expects from his/her government as it is the basic nature of a good government.

iii. **Moral of Security.** Covid-19 has shaken investors to invest in Indonesia as its economic growth dropped. However, the government has tried to convince that Indonesia has an instrument to make the investment safe, namely *UU Cipker*. Thus, since investment is quite important for the economic growth of Indonesia and attracting prospect investors becomes an indicator of the government's success for the public, *UU Cipker* is justified by ensuring safety for investors so that it receives legitimation in the public. This morality was found to be campaigned by the President himself, Joko Widodo (JW), as the following (E3):

(E3) *Sehingga, lanjut Jokowi, investasi yang sudah dilakukan oleh para investor dari dalam dan luar negeri tetap aman dan terjamin. [Jokowi further states that the investment which has been done by global and domestic investors remains safe and guaranteed]*

Here, the moral legitimation is easily detected as the designative adjectival words (Leech, 1966) are directly used, 'safe' and 'guaranteed'. In the other words, this moral legitimation is achieved through Evaluation in which the legitimation is explicitly made,



unlike the two examples above where to comprehend the moral values, we have read and search for them within the stretch of the discourse.

- iv. **Moral of Firmness.** The adjective form of 'firmness' is 'firm', which means a strong behaviour, position, or understanding of something as well as being in control (online Oxford dictionary, 2022). Thus, a firm government exactly knows what is best to do, how to do it, and why to do it to bring its country to a better future (Kolzow, 2014). Concerning this study, firmness morality was also used by the government to legitimize *UU Ciptaker*. In the other words, this law is expected to represent the government as being firm. Commonly, firmness is related to the quality of discipline and undoubtedly, it should be possessed by a good leader. A discipline leadership will proportionally reward those acting in accordance to the consensus and impose a punishment for those breaking the agreed law. These are done not based on a personal relationship, but on a clear vision about what is right to do to bring an expected condition to the country. The following is an example (E4) of the discourse which shows the morality of firmness of the government when legitimizing *UU Ciptaker*.

(E4) *Undang-undang omnibus law Cipta Kerja juga mengatur tentang sanksi administratif, penghentian usaha, denda, serta paksaan bagi perambah hutan di dalam kawasan hutan. [Omnibus Law on Job Creation also governs the administrative sanction, bussiness discontinuity, forfeit, as well as force for forest encroachers in forests.]*

We can comprehend from the above excerpt that the firmness morality is constructed on the basis of various punishments given to forest encroachers. It is represented that *UU Ciptaker* should be accepted because it makes the government firm to apply punishments to protect Indonesians' forests againts those who wants to destroy them.

- v. **Moral of Cautiousness.** Moral of cautiousness or moral caution creates an awariness within someone to consider very carefully about what should or should not be done based on his or her knowledge and belief. Matheson (2016) mentions that moral caution is related to the principle of what morally drives people to do (or not to do). In relation to this study, the government was found to use the cautiousness morality three times, especially when they explained how *UU Ciptaker* was made as shown in the following excerpt (E5):

(E5) "The deliberation **was careful** enough until the end."

This example shows that the cautiousness morality is explicitly invoked by using the designative adjective '**careful**'. In the other words, this strategy is achieved by means of moral of Evaluation. Moreover, the cautiousness was targeted to the process of making and passing the law. Being cautious, especially in crating a law, is quite significant as this relates to the public interest. Therefore, it is not morally permissible to create and pass a law hastily since it might rise the possibility of resulting in a law with a negative consequence. It means that the sense of cautiousness morally invokes a legitimation for the government in passing *UU Ciptaker*.

- vi. **Moral of Efficiency.** Efficiency is a quality to do things with an expected result without wasting excessive time, energy, and expenses (the greater dictionary of Indonesian Dictionary). By definition, this quality is undeniably essential as it allows people who have to accomplish tons of works and achieve an expected result within a given time. The moral of efficiency in this study was aimed at the ease of doing bussiness in Indonesia, having the purpose to increase investment in Indonesia. In the other words, *UU Cipker* is expected to receive legitimation by providing an easy access for the bussiness sector, foregrounding the efficiency morality as demosntrated below (E6)  
(E6) "He said the bill would improve bureaucratic efficiency and cut unnecessary red tape, particularly in regard to business permits and investments."

It can be seen that the bill is expected to be accepted as it can boost the state income because investors are made easy to open a new bussiness in Indonesia without having to worry about the complicated process of permits.

- vii. **Moral of Transparency.** The final morality used by the government is transparency. Such morality is alledged to be present during the making process of the bill. This is quite important, considering that all laws and policies created by the government should fulfill the public interest so that the government is obliged to prioritize the public transparency all over the process of law creation. Particularly in Indonesia, democracy is the main principle in steering the state, meaning that public participation in making a law is a must. It can be achieved if the transparency is made possible. Therefore, harnessing the moral of transparency in passing *UU Cipker* by the government can legitimize this law in public eyes. Excerpt 7 (E7) illustrates how transparency helps legitimize *UU ITE*.  
(E7) "Coordinating Economic Minister Airlangga Hartarto, who was among the government representatives present during the meeting, said the government appreciated the speedy and "**transparent**" deliberation of the bill."

We can see from E7 that Evaluation sub-strategy is used to construct moral of transparency in which the government explicitly chose the adjectival word 'transparency' to describe the deliberation process of the bill. Therefore, those receiving this information can directly think about why they should accept *UU Cipker*.

### **Rationalization**

Rationalization is the second most strategy used by the government to legitimize *UU Cipker*. With rationalization, the answer to 'why' question is due to the fact that it is useful or it is how things should be (Leeuwen, 2007;2008). The former is called instrumental rationalization, whereas the latter is theoretical rationalization. In this study, the theoretical rationalization was found five times, whereas instrumental rationalization occured three times; all together account for eight times or 17% of the total legitimation strategies.

Theoretical rationalization found in this study legitimizes the *UU Ciptaker* by mentioning it as being necessary to implement. One of the reasons is due to the fact that this law can improve the economic condition badly affected by Covid-19 as demonstrated in excerpt eight below (E8).

(E8) "The law is also seen as **necessary** by the government since the country's economy shrank 5.32 percent in the second quarter this year, and is widely expected to record the first economic contraction since the 1998 Asian financial crisis this year."

The word 'necessary' invokes the inevitable nature of *UU Ciptaker* to improve Indonesia's economic condition. Such word suggests a utilitarian philosophy (Leeuwen, 2007) which argues for doing any actions to maximally obtain happiness in life (Scarre, 2002). Therefore, the use of 'necessary' to describe *UU Ciptaker* signifies the undeniable importance of passing such law for the government to facilitate maximal happiness for all Indonesians. Moreover, using the adjective 'necessary', the government as if wanted to say "this law is what naturally Indonesian people need to get out of the Covid-19 and boost their economy."

Beside theoretical rationalization, instrumental rationalization was also used by the government to show the usefulness of *UU Ciptaker*. In this case, the government conveyed the effect of implementing such law in Indonesia. Leeuwen (2007; 2008) has proven that someone can legitimize his/her action by orienting to its effect, also called effect-oriented rationalization. Excerpt nine (E9) demonstrates how Indonesian government justified *UU Ciptaker* by referring to its positive effect.

(E9) "*Duta Besar RI untuk AS Rosan Roeslani turut menyampaikan bahwa kehadiran [UU Cipta Kerja](#) memang menimbulkan **dampak positif** dari negara perdagangan Indonesia-AS maupun investasi AS di Indonesia. Rosan mengungkapkan bahwa pada 2021 nilai investasi AS ke Indonesia mengalami peningkatan sebesar 7,5 persen dibandingkan tahun sebelumnya atau mencapai 2,5 miliar dolar AS (sekira Rp36,5 triliun).*" [Indonesian Ambassador for the United States of America, Rosan Roeslani, also mentions that Law on Job Creation indeed creates a **positive effect** either on commerce states of Indonesia-USA or USA investment in Indonesia. Rosan acknowledges that in 2021, investment Value of USA in Indonesia has undergone the 7.5% rise, compared to the previous year or reaching USD 2.5 billion dollars (approximately Rp. 36.5 trillion)".]

Excerpt 9 can show how legitimation on *UU Ciptaker* is strongly built by the government by mentioning that the effect of this law can significantly increase the investment value of USA in Indonesia. Definitely, the rise of investment is something undeniably desirable by every country to improve its national prosperity as it creates thousands of job opportunities. Hence, for the government, it is no reason for the society to reject the idea of passing *UU Ciptaker* as it is useful for the prosperity of citizens.

### Authorization

Authorization legitimizes an action by referring to personal or impersonal entities and thus the answer to 'why should we do this' is because Mr. X asks us to do so or such and such law requires us to do so (Leeuwen, 2007; 2008). However, to have legitimate

power, a personal or an impersonal entity should be vested some kinds of authority. For example, a statement which instructs a sick patient to take a particular medicine is legitimate when said by a doctor. Similarly, a law mandated in a constitution is justified as the latter is alledged to be vested an authority.

In this study, authorization occurred the least frequently with merely three occurrences or 7% of the total legitimation strategies. Moreover, impersonal authority were employed two times when the government legitimized the applicability of *UU Ciptaker* after the process of lawmaking was considered conditionally unconstitutional by the constitutional court, yet the government insisted that what was assumed unconstitutional is not the materials and substances of the law, but the court problematized the definition of Omnibus Law operationalized by the government as the method in combining various existing law to be a single law. The following excerpt (E10) is an example of the government's use of impersonal authority.

(E10) "*Dengan dinyatakan masih berlakunya UU Cipta Kerja oleh Mahkamah Konstitusi (MK), maka seluruh materi dan substansi dalam UU Cipta Kerja dan aturan sepenuhnya tetap berlaku tanpa ada satu pasal pun yang dibatalkan atau dinyatakan tidak berlaku oleh MK," kata Jokowi.*" [As stated that the law on Job Creation is still in effect by **the Constitutional Court (MK)**, all the materials and substances in the law and the full rules remain valid without any articles being canceled or declared invalid by **the Constitutional Court**," said Jokowi.]

The constitutional court is an institution which has been vested with an authority to decide whether a law is constitutional or unconstitutional and thus it is a kind of impersonal authorization. Therefore, the court's decision that no materials in *UU Ciptaker* are invalid legitimates the application of this law. In the other words, the answer why *UU Ciptaker* should be applied is because the constitutional court has legitimized its use constitutionally.

Apart from the impersonal authorization, the legitimation of *UU Ciptaker* was also achieved by reference to personal authorization. Here, the President, Joko Widodo (JW), himself ensures a positive side of *UU Ciptaker*, particularly for investors as shown in Excerpt 11 (E11).

(E11) "*Saya pastikan pemerintah menjamin keamanan dan kepastian investasi di Indonesia," ujarnya dalam keterangan pers di Istana Merdeka.*" [**I make sure** that the government guarantees the security and investment certainty."]

We can see that the President directly ensured the safety of investment through *UU Ciptaker*. Moreover, he employed the first person pronoun 'I' to refer to himself and it serves as the subject of the active sentence. According to Dreyfus (2017), the use of active sentence aims at foregrounding the subject of an action; in the other words, an active sentence represents a speaker or writer to take a full responsibility of an action. Similarly, E11 shows how JW as the state head claims a full responsibility to guarantee the safety of

investors to make investment in Indonesia through the implementation of *UU Ciptaker*. It means that the answer to the question why *UU Ciptaker* should be applied is because the President says so to ensure the safety and certainty of the investment. Hence, this law attains to some extent a legitimation through personal authority strategy.

## CONCLUSION

*UU Ciptaker* has been a controversial law created by the regime of Joko Widodo (JW) since its passing in 2020. Many elements of societies have argued against this law. Therefore, the government has to construct various arguments to legitimize the law. Using Leeuwen's legitimation framework, this study found that the government employed three legitimation strategies, namely moral evaluation, rationalization, and authorization. Moral evaluation was found the most frequently used strategy, accounting for 76% of all used strategies. This strategy was used to legitimize the *UU Ciptaker* by referring to moral issues directly or indirectly. However, indirect reference to moral issues was dominantly used. Some moral values mentioned to contain in *UU Ciptaker* include moral of optimism, care, security, firmness, consciousness, efficiency, and transparency. Nevertheless, moral of optimism was used mostly probably because *UU Ciptaker* is framed as a tool to socially and economically improve the situation in Indonesia after it was badly hit by Covid-19. Moreover, rationalization was the second dominant strategy (17%) used to legitimize *UU Ciptaker*. Through this strategy, *UU Ciptaker* was represented as a normative law which has to be issued not only by Indonesia, but also by all countries upon Covid-19 as such law contains all necessary procedures to deal with a downward economic situation *pasca* Covid-19. Rationalization also legitimizes *UU Ciptaker* by framing it as the law which can result in a positive effect by showing the rising trend of the investment in Indonesia since the implementation of *UU Ciptaker*. Furthermore, authorization was used with the smallest number by reference to impersonal and personal entities invested some sorts of authorities to justify the Law. Finally, the implication of this study is that societies have to comprehend and scrutinize the government's languages very carefully and critically to get a genuine intention behind their uses. Moreover, in education, this study suggests teachers to be able to legitimize all learning materials they present to their students so that the latter can understand the reasons for learning such materials, thus boosting their motivation to be a life-long learner.

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