

CHAPTER I

INTRODUCTION

1.1. Background of the Study

The constitution is the underlying ideas and established norms that a country adheres to as the main embodiment of its identity. The constitution serves as the foundation of a country. According to constitutional law professionals, the constitution is pivotal due to its distinctive nature and preeminent authority within the legal structure. Consequently, revisions to the constitution should not be executed arbitrarily (Rashc 2008:2; Szymański 2019:38). However, modifications to a country's constitution are unavoidable due to numerous demands for political reform, societal ideals, and practical governance necessities.

As demonstrated in Indonesia, the Republic of Indonesia's 1945 constitution, also known as UUD 45, which serves as the country's supreme law, has undergone four revisions (Akbar 2022:104). The UUD 45 amendment was prompted by the unhappiness with the state's authority practices, which created instability in state life at the start of the reform era. It was challenging to avoid the demands of society, and a number of institutional features, including UUD 45, changed, marking a sea change in the political landscape of the nation.

Historically, the Constitution of 1945 had alterations or amendments during four distinct sessions. The severe Asian financial crisis of 1997-1998 served as the primary trigger for the first constitutional amendment. This economic turmoil had a devastating impact on Indonesia, ultimately leading to President Soeharto stepping down in May 1998,

an event that marked the beginning of the nation's transition toward democracy (Horowitz 2013:i). This significant occurrence precipitated the establishment of the initial amendment, which was subsequently ratified during the MPR General Session that took place from October 14 to October 21, 1999. Following the initial amendment, Indonesia continued to confront obstacles in enacting reforms. The MPR General Session was reconvened on August 7 and August 8, 2000, referring to the second amendment of the Act (Santika 2022:22). The requirement for the third amendment is founded on its capacity to better the judicial system and preserve human rights. This change obtained approval during the MPR session scheduled from November 1 to November 9, 2001. During the August 1–August 11, 2002, MPR General Session, the Fourth Amendment was ratified (Rahaditya, 2024:774). Pertaining to the commencement of the 1945 Constitution, the amendment process was planned to transpire annually. This depicts the frequency of amendments to the 1945 Constitution within the four-year interval extending from 1999 to 2002.

Indonesia's constitutional structure saw significant modifications as a result of the revisions, which strengthened human rights protections, curtailed presidential authority, reinforced the idea of checks and balances, decentralized power, and altered the process for choosing public officials. But these shifts also took place at the linguistic level in addition to the institutional and normative ones. Changes in lexical choices, phrase structures, and grammatical relations were made to the 1945 Constitution's provisions, which may have an impact on how the state defines authority, legal subjects, and the relationship between the state and its inhabitants.

Criticism of the 1945 Constitution's modifications in legal and political studies has focused more on the consistency of the state system, political ramifications, and the content of norms. Scholars in legal theory have long recognized that legal rules are inherently open-textured and may give rise to interpretive disputes. In the Indonesian context, also observe that post-amendment constitutional practice has led to varying interpretations among state institutions (Asshiddiqie, 2010:30-34; Mahfud MD, 2012: 177-182). This opens the possibility for multiple interpretations influenced by language choice and textual structure in the Constitution. Changes in the wording of certain constitutional provisions influence how judges interpret the Constitution in the Constitutional Court of Indonesia and other courts (Butt & Lindsey, 2015). Changes in constitutional wording affect judicial interpretation, but they are mostly studied from a legal perspective without analyzing linguistically.

This is the primary issue that motivates this study. Research explicitly looking at changes in constitutional language as a carrier of ideological meaning is still lacking, despite the fact that the 1945 Constitution's modifications have been thoroughly examined from legal, political, and sociological angles. However, as Halliday and Matthiessen (2014:85) highlight, language has an ideational function that uses transitivity systems, different kinds of processes (material, mental, relational), participants, and situations to reflect human experience and social reality. Therefore, any modification to the constitutional text's clause structure may reflect modifications to the way the state creates its political and legal reality.

A pertinent theoretical framework for addressing these problems is offered by the Systemic Functional Linguistics (SFL) approach. According to an SFL viewpoint, explains

that language does not merely reflect existing reality, but language is a "social semiotic system" that actively constructs that reality. (Halliday,1994:15). Therefore, grammatical changes in legal texts are not just technical editorial problems; rather, they are a sign of shifting ideologies and power dynamics. According to Tiersma (1999:30), the impersonal and intricate character of legal language frequently causes a gulf to form between legal writings and the general public. Constitutions, on the other hand, have a unique linguistic quality as both normative and interpretive texts, according to Pieprzyca (2017:52).

However, some constitutional law scholars argue that a linguistic approach is unable to fully explain constitutional meaning because constitutions are also influenced by institutional structures and historical practices (Blackman & Phillips 2018). This debate emphasizes the urgency of interdisciplinary research that bridges linguistic analysis and constitutional studies. Previous studies have shown that language plays a crucial role in the formation of constitutional democracy, but these studies have generally focused on political speech or judicial reasoning, rather than on the text of the constitution as the foundational document of the state (Horsley ,2022: 99–119; Schwartz,2022: 758–786)

There are still very few language studies on the 1945 Constitution in Indonesia. Without contrasting it with the revised text, Sinaga (2020:58-63) solely looked at the 1945 Constitution's original version. In the meantime, studies conducted in different settings have demonstrated that perceptions of state legitimacy can be impacted by modifications in how actors and procedures are portrayed in legal texts (Teague, 2020: 301–328). This study's scientific possibility to examine ideological shifts in the amendment 1945 Constitution from an SFL perspective is made possible by this research limitation Since the 1945 Constitution was amended to include new provisions (such Human Rights and

State Institutions), an ideational focus enables this study to understand what "new world" the legislators are creating. The core of the changes was automatically captured by breaking down the Ideational metafunction. Because legal language is authoritative and monoglossal (one-way), interpersonal metafunctions such as mood and modality are less significant. The Constitution involves giving absolute directives or decrees rather than discussing or conversing with the reader. While ideational analysis reveals changes in power and legal views, textual analysis merely reveals the technical characteristics of writing.

A more thorough comprehension of how the 1945 Constitutional changes rebalance the representation of state institutions, citizen rights and obligations, and the framework for governance is made possible by an examination of ideological development. The strengthening of human rights, decentralization, and governance reform are examples of socio-political forces that may have influenced these ideological shifts.

The two primary meaning systems in SFL, the logical meaning system and the experiential meaning system—are used in this study to analyze ideological transformation. It is possible to observe how constitutional language depicts events, behaviors, and social relationships in legal texts thanks to the experience meaning system (Halliday & Matthiessen 2004:29–30). In the meantime, the constitutional text's argumentation structures and interclause links are examined using the logical meaning system to guarantee coherence and consistency of meaning. By using this method, it is anticipated that the study will offer theoretical and empirical insights on the ideological shifts in the 1945 Constitution as a language and legal document.

1.2. The Research Focus

This study concentrates to see the aspect of change, how these amendments reshape the idea and principles of the constitution and reason to the way of the change realized in amendment of UUD 45.

1.3. The Research Problem

Drawing upon the research background, the author articulates the research problem in the subsequent section.:

1. What are the changes of 1945 Indonesia Constitution Text after the amendment in term of ideational function?
2. How are the ideational changes of UUD 45 linguistically realized in the amended version?
3. Why does the ideational changes of UUD 45 realized in the ways they are?

1.4. The Objective of the study

In connection with the issues pertaining to the research, the study aims to address the objectives:

1. Analyze the ideational changes of UUD 45 after the amendment
2. analyze the processes of the ideational changes of UUD 45 linguistically realized in the amended version?
3. explain the reason of the ideational changes of UUD 45 realized in the ways they are

1.5. The Significance of the Study

Theoretically, this research advances applied linguistics, especially in the field of constitutional and legal discourse. This work expands the scope of ideational analysis to foundational legal documents by using Systemic Functional Linguistics to the revised 1945 Constitution. This area has not garnered as much attention as political speeches, court rulings, and statutory interpretation.

By connecting applied linguistics and constitutional studies, this study also advances interdisciplinary scholarship. It shows that constitutional texts are discursive constructions in which certain representations of power, responsibility, and social connections are encoded through grammatical choices rather than being merely neutral legal instruments. This study complements current legal and political analyses by offering a linguistic explanation for how constitutional change is implemented at the linguistic level through the investigation of ideational meaning.

Additionally, by offering empirical proof that modifications to grammatical structures such as processes, participants, and clause relations have ideological significance, this study enhances research in forensic and judicial linguistics. These results provide fresh avenues for future legal text research, especially when it comes to analyzing how language affects interpretation, authority, and legitimacy in statutory and constitutional documents.

The results of this study have a number of significant practical ramifications. First, this study offers analytical insights that can help with legal thinking and constitutional interpretation. The findings can help judges, legal scholars, and constitutional interpreters understand how changes in phrasing may affect legal meaning and interpretive outcomes by illuminating how ideational meanings are linguistically built and modified through constitutional amendments.

Furthermore, the research aids in the critical assessment of constitutional amendments. The analytical framework created in this study can be used by academics, policy analysts, and legal commentators to more methodically investigate the effects of constitutional reform, especially as it relates to representations of governmental authority, citizens' rights, and state institutions.

Thirdly, this study provides an interdisciplinary reference for discourse analysis, political science, and law research. It encourages more integrated studies of legal and political texts by offering a methodological model for studying constitutional texts.

Lastly, this work indirectly advances public and scholarly discourse on constitutional reform by deepening our understanding of how constitutional language shapes social and legal realities.

