

Reorienting Legal Education Under the Fourth Industrial Revolution

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Abstract. Throughout history, legal education in Indonesia has focused on developing theoretical concepts rather than developing problem-solving that lives in the community. Besides that, legal education in Indonesia still does not appear to be autonomous because it is still oriented towards the political system adopted at the time. At present, legal education in Indonesia faces a future challenge, the fourth Industrial Revolution. The article intends to outline the direction of legal education oriented in facing the challenges of the fourth Industrial Revolution. This research method is normative juridical research. The method used is the conceptual approach and statue approach. Therefore, reforms to legal education in Indonesia are carried out through various improvements to the curriculum and more dynamic learning methods. The more clinical application of legal education becomes the direction of reform that can be addressed.

Keywords: legal education, fourth industrial reform, law reform

INTRODUCTION

After more than a century, legal education in Indonesia has proceeded with scientific problems that have led to different kinds of assessment speculations. On the other hand, legal education in Indonesia has tried to answer the various challenges of the times that continue to develop so, legal education in Indonesia more or less different than conventional, and this is considered as *condicio sine qua non*[1]. While other groups consider that the development of, legal education in Indonesia has prostituted itself into social education, with approaches and methods of the social sciences, and therefore needs to be reoriented [2]. When referring to the evaluation conducted by Hikmahanto Djuwana, it turns out that the purpose of, legal education in Indonesia is not autonomous. The purpose is very dependent on what is desired by a government or specific conditions applicable in Indonesia [3]. At present, legal education associated with the faculty of law is one of the most established faculties in Indonesia. Until 2015 330 legal education institutions were consisting of 306 faculties and 24 other institutions. According to the

Mardjono Reksodiputro, if each year graduates 100 people, each year there are 13,000 law graduates in Indonesia [4]. The actual number is certainly greater now because new student enrollments tend to increase each year. After all, there are faculty of law accept 700 new students. As a producer of Bachelor of Laws, certainly, the most relevant measure of the success of the faculty of law is whether graduates have a positive role in the development of the legal field. Therefore, it is not wrong if there is a lawsuit against the existence and role of legal education if you see the legal conditions in Indonesia that have not changed much from the sad conditions, let alone faced with the presence of The Fourth Industrial Revolution which is undeniable a widely discussed concept [5].

This article was based on library research and the empirical experience of the author who studied law in Indonesia. nevertheless, the main purpose of this article is intended to outline the direction of reorienting legal higher education in the face of the dichotomy of the development of legal science as an internal challenge and the presence of the Industrial Revolution 4.0 external challenges.

METHOD

This research is using a normative juridical research method. We used secondary data that includes primary and secondary legal material in the form of laws and regulations and draft laws that are appropriate to the context. Secondary data obtained through a literature study. We used the conceptual and statue approach. Data analysis was carried out by systematizing the data and subsequently the data was used to create an alternative concept for legal education in Indonesia to respond to the fourth industrial reform

RESULT & DISCUSSION

History of globalization shows that each changing era has its *core*. Ritzer and Toffler's description shows that the movement of change is always triggered by technological developments that gave birth to the era of the Fourth Industrial Revolution, which not only does not only open wide interactions but also disrupts various fields of human life [6]. Disruptive was originally a phenomenon that occurred in the economic world, especially in

the business field. Clayton Christensen called it an innovative disruption [7]. In this era, disruption does not only apply to the business world. The disruption phenomenon has a profound effect on change in various fields. Disruption not only changes the business but the fundamentals of the business [8]. Starting from the cost structure to culture, and even the ideology of an industry. The business paradigm also shifted from the emphasis of owning to sharing (collaboration). In short, on disruptive will occur disruptive regulation, disruptive culture, *disruptive mindset*, and *disruptive marketing* [9].

Throughout the history of legal education in Indonesia, not many faculty of law have been brave enough to produce graduates who differ from other faculty of law, even to meet the objectives of legal education as determined by the direction of political will. In the end, this situation is caused by the perception of the community that has produced uniformity, nature, and type, graduates produced by the law faculty. The stereotypical community of law faculties graduates becomes very legalistic, both in memorizing and above all who are loyal to the doctrine of law.

The consequence is that legal education providers, lecturers, and even students consider that there is no other choice but to adjust to the perceived community stereotypes. In short, it can be concluded that some of the legal education objectives noted in reality have no impact on graduates produced by law faculties. The faculty of law has done and will continue to produce graduates that resemble graduates produced by the law faculty which were first introduced by the colonial government. This conclusion can also be reasonably stated to show that the purpose of legal education truly represents something neutral. It also makes sense to state that the objectives of legal education in the Indonesian context are not by the preferences of political leaders or country-specific conditions because ultimately Indonesian law faculty graduates are generally the same [10].

Openness to interdisciplinary law studies is a major focus in responding to the Fourth Industrial Revolution. This openness has its legitimacy within the epistemology of law itself. Indeed, the law consists of two major parts. *First*, is the science of dogma and the basic concepts of law, and *second* is the science of legal reality. Accommodation for legal science that studies society, as well as science and technology, can be placed in the science of legal reality. Universities in other countries have long been developing "courses law and science", "law and technology", "law and medicine", or "economic analysis of law". Likewise, the interdisciplinary collaboration of law and social-humanities has long given birth to new branches of science, socio-legal studies. Autonomous and credit-based universities in Indonesia must provide extensive elective courses. Students must be given space to gain

knowledge that can perfect their skills as law graduates. However, they will become policymakers in the field of law that are not sterile from the political, cultural, economic, scientific, and technological contexts.

Openness to science and technology for law students is inevitable. *First*, it is driven by the need for a legal reform program. In general, throughout the world, the problems faced by the public regarding the judicial process are delays, lack of access, and corruption [11]. *Second*, a shift massive occurs when one million conventional jobs will be lost because they are replaced by artificial intelligence robotic, including the legal profession, such as notaries and advocates. Richard Susskind mentioned that there were 3 (three) factors driving change in the legal profession, namely (1) challenges, (1) liberalization, and (2) information technology [12].

The first driver is the challenge of the client's willingness to obtain more services at a more economical price, as well as opportunities from law firms and lawyers to be able to provide these services. The second driver is liberalization which means that although in a long history it is known that only qualified lawyers can provide legal services, but now there has been a change from the standard approach so far as how a legal service can be provided due to the boundary line between the legal profession and the non-legal profession to be very vague, this results in legal consultations which can be given also by professionals in the field of law but not fully working as lawyers. The third driver is information technology. This technology creates new possibilities for providing more legal services at less cost and efficiency,[13] especially after emerging start-ups or legal techs can provide complete and free legal counsel.

Other factors that can influence the development of law are politics, globalization, economics, and historical factors. But of all the factors mentioned before, the cruelest challenger to changing professions is technology. This is because only through the discovery of 1 (one) new device or small mechanism, thousands of people can become unemployed. It can also be seen in the legal sector that has begun to be disrupted by technology, for example throughout the United States court system, within 1 (one) year of receiving claim claims 3 (three) times less than the dispute resolution system through online [14]. Even now artificial intelligence technology is a central part of digital transformation in the Fourth Industrial Revolution when technology big data triggers machine learning, artificial intelligence technology will be more advanced and have an impact on all areas of life, especially law [15].

Third, at present, Dutch law which has roots in Indonesia developed in another direction. Jurisprudence is currently considered an important

source of law, in addition to the codification of the law. There is an effort to bring legal certainty closer to public justice [16]. Also, jurisprudence from important cases in the Netherlands became a reference and discussion material in various lectures at the law faculty. on the other hand, there is a cooperation between law schools with law enforcement agencies and parliament [17]. The legal paradigm in the Netherlands itself is not only discussed as a black letter but is integrated with new legal issues that cannot be isolated from social and scientific developments [18]. The enforcement of the rule of law remains firm while accommodating the development of new justice-based laws. Dutch law school students not only learn about basic concepts and legal dogmas but also understand living law through a judge's ruling. There is always a gap between the legal text and the law of life which is adopted by the community. The text of the law still contains ideals and idealism, which aims to protect society, but it is not yet a living law. To be a living law, the legal text must be tested in a dispute case, and the judge's ruling on the dispute is the living law [19].

Based on the matter as decomposed tertiary education law must respond, so a law student must have abilities. Improved courses where there is a new emphasis on learning using computerized tools. It is suspected that more startups legal tech, associations legal tech, and conferences legal tech are held. Also, several law campuses in America and Europe have established research and training centers related to "law and artificial intelligence technology", have also been developed by Robo lawyers and robots that have been able to produce legal decisions (Robo judge) [20]. Also, the community demands that law schools give birth to the legal profession with strong basic knowledge and legal skills; while being able to build a culture of justice. Uphold the rule of law, without leaving public justice.

CONCLUSION

According to the descriptions above, the situation has changed that legal education institutions must respond to the rapid changes in society, especially responding to Fourth Industrial Revolution, while legal development can hardly keep up with its speed, mainly due to political constraints. Legal education institutions must take an important role to face the development of legal practices that require new solutions and thinking, and be transformed into students. Legal certainty is important, but it should not leave the context of the substance of community justice. Most questions and problems must be explained based on basic knowledge and legal dogma, but that is not enough now. Various technological developments today are increasingly developing, so the law must be able to

respond quickly, especially flexibility in the education system. Meanwhile, legal development policies to provide access to justice for vulnerable groups, women, and children require a social science and humanities approach. Also to produce formulations of beneficial regulations in the economic field, for example, input from the discipline of economics is needed. The needs that come from this community show that legal studies must be open to cross-scientific thinking. Legal academics need not worry about losing their paradigmatic character because the help of various other sciences will only enrich legal science.

Therefore, reforms to legal education in Indonesia will continue to be carried out through various improvements that must be made. Completion of the curriculum of the undergraduate program must be carried out to provide solid academic legal knowledge for students. Reforming legal education needs to be borne in mind. The solution offered must be implemented virtually by students, lecturers, and stakeholders. In Indonesia, changes are considered to be counter-productive. At the end of the Fourth Industrial Revolution, it is an unavoidable path

REFERENCES

- [1] N. K. Dezin and Y. S. Lincoln *Handbook of Qualitative Research*, London: Sage Publications, 1996.
- [2] T. S. Kurnia, S. H. Dwiyatmi, D. H. Prananingrum, *Legal Education, Legal Studies & Legal Research in Indonesia: An Orientation*, Salatiga, SWCU Law Faculty Press, 2009.
- [3] H. Juwana, "Legal Education Reform in Indonesia", *Journal of Law and Development*, Vol 35 No. I, page 1-37, January-March 2005
- [4] M. Reksodiputro, "Aligning Indonesian Legal Higher Education with Direction Development", Paper Presented at the 15th anniversary of the Faculty of Law at Pelita Harapan University, 2011.
- [5] M. A. Safaat, "Standardization of Higher Education in Law", Paper Presented at the National Conference on Higher Education in Law organized by the Faculty of Law of Trunojo University, 31 October 2014.
- [6] A. Toffler, *The Third Wave*. Bantam Books, 1980
- [7] C. M. Christensen, *The Innovator's Dilemma*. Harvard: Harvard Business, 1997.
- [8] R. Khasali, *Strawberry Generation*. Jakarta: Mizan, 2018.
- [9] M. D. Fenwick, W. A. Kaal, and E. PM. Vermeulen. "Regulation Tomorrow: What Happens When Technology is Faster than the

- Law?", *American University Business Law Review*, Vol. 6, No. 3, p. 561-590, 1997.
- [10] M. D. Fenwick, W. A. Kaal, and E. PM. Vermeulen. "Regulation Tomorrow: What Happens When Technology is Faster than the Law?", *American University Business Law Review*, Vol. 6, No. 3, p. 561-590, 1997.
- [11] D. Reiling, *Technology for Justice How Information Technology Can Support Judicial Reform*, Leiden: Leiden University Press Law, 2009.
- [12] R. Susskind, *Tomorrow's Lawyers: An Introduction to Your Future*, UK: Oxford University Press, 2013.
- [13] R. Susskind, *Tomorrow's Lawyers: An Introduction to Your Future*, UK: Oxford University Press, 2013.
- [14] R. Susskind and D. Susskind, *The Future of The Professions: How Technology Will Transform The Work of Human Experts*, Oxford: Oxford University Press, 2015.
- [15] Q. D. Kusumawardani, "Progressive Law and Development of Artificial Intelligence Technology," *Veritas Et Justitia*, Vol 5, No 1 p. 184-210, 2019.
- [16] R. J. Wilson, "Practical Training in Law in the Netherlands: Law Model or Clinical Model, and the Call of Public Interest Law", *Utrecht Law Review*, Vol 8, No 1, p. 172-199, 2012.
- [17] R. J. Wilson, "Practical Training in Law in the Netherlands: Law Model or Clinical Model, and the Call of Public Interest Law", *Utrecht Law Review*, Vol 8, No 1, p. 172-199, 2012.
- [18] E. v. Bemmelen and v. Gent, "Legal Education: A New Paradigm", *Bynkershoek Law Review* Vol 13 No 1 p. 22- 41, 2012.
- [19] E. v. Bemmelen and v. Gent, "Legal Education: A New Paradigm", *Bynkershoek Law Review* Vol 13 No 1 p. 22- 41, 2012.
- [20] R. Susskind and D. Susskind, *The Future of The Professions: How Technology Will Transform The Work of Human Experts*, Oxford: Oxford University Press, 2015.