

Legal Education Model for Measuring and Increasing Public Legal Awareness to Islamic Law

1st Mustofa Haffas
Faculty of Law
Universitas Padjadjaran
 Bandung, Indonesia
haffas@unpad.ac.id

2nd Eman Suparman
Faculty of Law
Universitas Padjadjaran
 Bandung, Indonesia

3rd Renny Supriyatni
Faculty of Law
Universitas Padjadjaran
 Bandung, Indonesia

4th Ratna Jatnika
Faculty of Psychology
Universitas Padjadjaran
 Bandung, Indonesia

Abstract—This study aims to create a model of legal education for measuring and increasing public legal awareness of Islamic Law. This model refers to the model of knowledge management of law. Preparation of Islamic legal education material is done by classifying the fields of Islamic law, selecting reference books that are considered to be representative of the material in each legal field, excerpting the thoughts of experts contained in selected reference books, determining keywords for each excerpt, store the thought excerpts into a database, and make a search engine to process that database. Development of search engine applications using the Software Development Life Cycle method. The result of the study is a search engine application for public legal education to Islamic law.

Keywords—*Legal education, Model, Measuring, Public Legal, Islamic Law*

I. INTRODUCTION

J van Houtte (Soekanto 1994) said there are two uses of the Sociology of Law, namely in the field of information and norms internalisation. The field of information includes the effort of socialisation and legal education, while the field of norms internalisation is an attempt to capture the legal feelings of the community in the context of positive-law making. Ideally, these two things must be done in an integrated manner to produce and or form good public legal awareness.

Public legal awareness can increase and decrease. That can be increased by increasing knowledge and increasing understanding of the people towards law. Soerjono Soekanto (1977) said that legal awareness in the community could decrease. The decline in public legal awareness is caused by officials being less aware of their obligations to maintain the law and lacking understanding of the goals and functions of development. There are four indicators of legal awareness, said by Kutchinsky (1973), Podgorecki (1973), and Dror (1968), namely:

- knowledge;
- understanding;
- attitude; and
- legal behaviour.

The relationship between Legal Awareness, Legal Obedience, and Positive Law is, as shown in Figure 1. Legal education and socialisation are conducted to make the public know and understand certain legal systems/fields. Knowledge and understanding of the law can also be formed from people's experience when they see how the law is applied or enforced. With their knowledge and understanding, they can determine attitudes in the form of accepting, criticising, or rejecting the law.

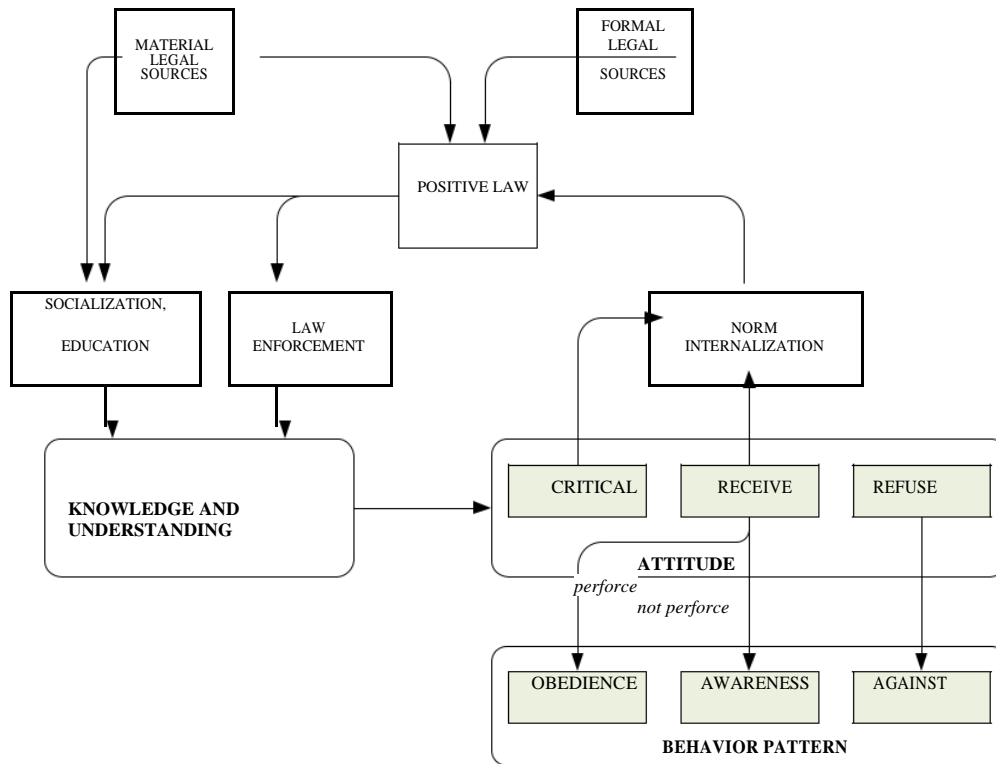


Fig. 1. Legal Awareness, Legal Obedience, and Positive Law

Legal acceptance by the community because it was forced to be called legal compliance; legal acceptance by the community without being forced to be called legal awareness; and legal rejection by the public is called legal resistance. These three things are the pattern of people's legal behaviour. Public attitudes towards law can be taken into consideration in the context of legal reform.

Legal education to the public cannot be done in the same way as for law school students. The use of Bloom's Taxonomy for formal education methodology is very excessive or impossible to apply in legal education to the public. Legal education to the community must be adapted to the needs and spare time of them. The provision of legal education materials that are not in accordance with the needs of the community will reduce the focus of the community in listening to educational materials. Determination of educational time outside of community free time will reduce community interest in attending education.

Therefore, public law education must be preceded by measurement of their knowledge and understanding of the law. It is very useful for expressing people's knowledge and understanding of the law and its influence on their attitudes and behaviour patterns towards the law. Through such measurements, it will be known what legal aspects need to be improved. Educational material can be prepared according to the needs of the individual community and legal education can be carried out at the time they have.

Ideal legal education for the community (Haffas & Jatnika 2016) must be carried out in:

- *Partial* - legal education must be selected in accordance with the needs of the community.
- *Contextual* - legal education must be able to encourage people to understand the relationship between knowledge and the problems they have.
- *Temporary* - legal education has to be able to be followed at any time, in accordance with the time owned by the community.

Measurement of public knowledge and understanding of the law can be carried out before legal education so that the educational material to be given focuses on legal aspects that are appropriate to the needs of the community, but it can also be done after legal education to evaluate the success of legal education. Figure-2 is a diagram of legal education and evaluation of legal awareness.

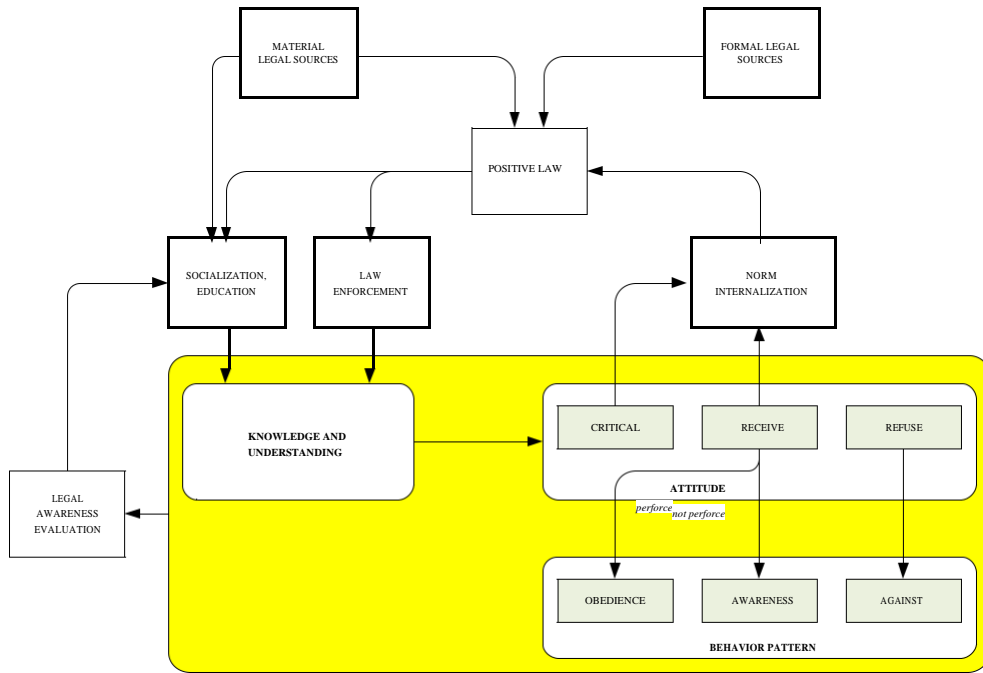


Fig 2. Legal Education and Evaluation of Legal Awareness

Knowledge Management Approach is widely used and proven to increase the knowledge of the community. For legal knowledge, a model that can be used is as shown in

Figure-3. The Legal Knowledge Management Cycle (Haffas & Jatnika 2016) is a modification of the Bukowitz and Williams Knowledge Management Cycle (2000).

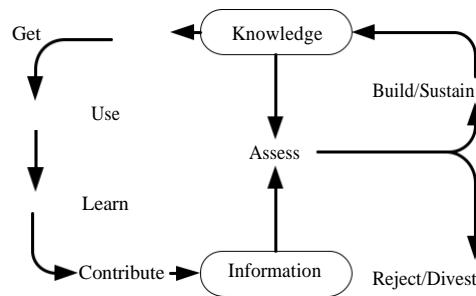


Fig. 3. Legal Knowledge Management Cycle

Users can take knowledge. The users then use and learn it. Then, users can contribute knowledge to the system. The results of the contribution or capturing process are only considered as information and not yet knowledge (unlike in the Bukowitz and Williams cycle). The information will go through a process of assessment, refining, or filtering. If an information is successfully passed through this process, the information will be built and stored as knowledge, while if it is not successful, the information will be rejected. A knowledge can also go through a process of assessment, refining, or re-filtering. If a knowledge succeeds through this process, then the knowledge will be built/sustained and stored back into the knowledge, while if it is not successful, then the information will be divested. In this paper, the focus of research is more stretched on the preparation of legal education materials, especially Islamic

law, toward the community. Islamic law is one source of material law in Indonesia.

II. METHOD

The method used for the preparation of Islamic law education material is carried out by:

- Classifying the fields of Islamic law;
- Selecting reference books and articles (theoretical legal materials) that are considered to be representative of the material in each field of law;
- Excerpting the thoughts of the experts contained in selected reference books and articles;
- Assigning keywords for each excerpt;
- Placing excerpts of thought into a database; and
- Creating a search engine to process it.

The fields and sub-fields of Islamic Law that will be examined are classified as follows.

TABLE 1. THE FIELDS AND SUB-FIELDS OF ISLAMIC LAW

Field	Subfields
A. Worship	The pillars of Islam, physical worship, worship of property
B. Family Law	Marriage Law (Munakahat), Inheritance Law (Faraidh), Testament, Waqf, etc.
C. Private Law	Civil Law, Commercial Law, Civil Procedural Law
D. Islamic Criminal Law	Jinayat, Hudud
E. Constitutional Law	Siasah shar'iyah, Al Fiqhud Dusturi, etc.
F. Administrative and Financial Law	Al fiqhul Idari, al Fiqhul Mali
G. International Law	International Civil Law, International Public Law
H. Environmental Law	
I. Human Rights in Islam	
J. IPR	

Ideally, the books and articles that are used as references are as much as possible, but in this research, the researchers only used books and articles that were

considered to represent the material in each field of law studied. The attributes used for each theoretical legal materials consist of at least:

TABLE II. DOCUMENT ATTRIBUTES

Attribute	Description
Book-ID	The unique identity is given to the document
Title	Title of book or article
Author	Author of a book or article
Impressum	City and publisher name, etc.
Keywords	List of keywords that can be used to access the book or article.

The theoretical legal materials are then excerpted. Excerption is carried out on thoughts that are considered important by affixing the page number, thinker's name, and

keywords for the excerpt. Therefore, the attributes used for each excerpt consist of at least:

TABLE III. EXCERPT ATTRIBUTES

Attribute	Description
Book-ID	The unique identity is given to the document
Bookmark	Page number for excerpt
Thinker	The name of the thinker.
Thought	Excerpt of thought.
keywords	List of keywords that can be used to access the excerpt.

Then, the book and excerpt list are placed into a database with the table names "Books" and "Excerpts". Two additional tables, namely "Authors" and "Thinkers"

were added to normalise these tables. The relationship between the tables can be described as follows.

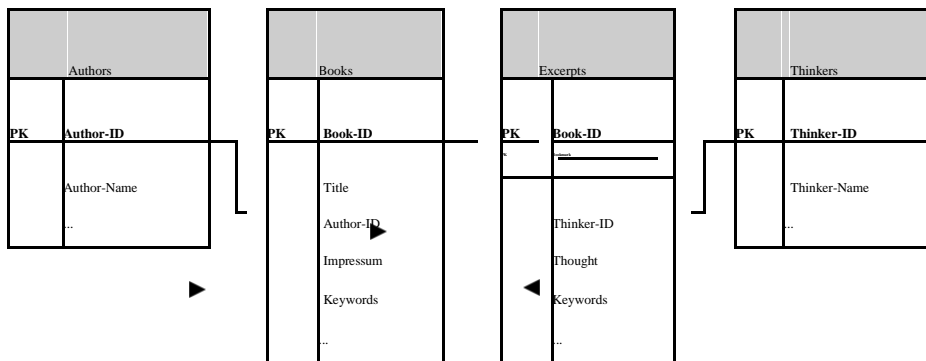


Fig. 4. Relationship between Tables

After that, the search engine was developed to process the input ("word" or "phrase") and display the output (list of thinkers and thoughts) related to the input provided.

III. RESULTS AND DISCUSSION

The result of this study is a search engine for theoretical legal material. This application is placed as part of the "Jurisprudence: Centralized-Distributed Knowledge Management Information System for Law". The Jurisprudence interface is as shown in Figure 5.

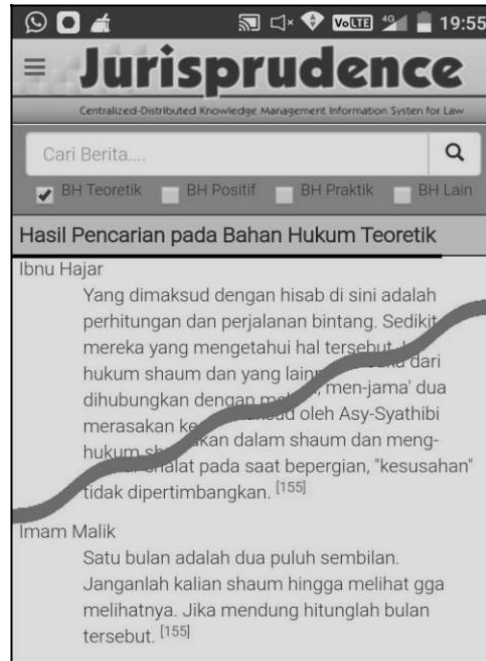


Fig. 5. Jurisprudence Interface

This application is similar to similar applications, such as the Google search engine, but the search is more specific, which is not just displaying documents that contain "words" or "phrases" that are searched but go deep into those documents.

To use this system, you only need to enter "words" or "phrases" into the input field, choose "BH Teoretik" (theoretical legal material), and click the "Search" button. The results will be displayed in the output area.

This system will record every input given. It is very useful to anticipate any input that has not been indexed and or excerpts for it are not yet available.

IV. CONCLUSION

In public legal education, people do not need to know the law as "tacit knowledge", because they generally only learn law when they have cases or problems. Each person only has to know what "words" or "phrases" must be entered into the system for the cases or problems they have. Then let the system explain that.

In this way, people's knowledge about the law will increase along with the cases and problems they have. The important thing to note is that all excerpts entered into the system must be sourced from trusted books and articles, and the excerption is done correctly.

REFERENCES

[1] Bukowitz W and Williams R 2000 *The Knowledge Management Fieldbook* (London: Prentice-Hall)

[2] Dror Y 1968 *Law and Social Change on Rita James Simon (ed) The Sociology of Law* (Chandler Publishing Company, San Francisco)

[3] Haffas M and Jatnika R 2016 Model And Architecture Of "Distributed-Centralized" Knowledge Management System Of Law. In *Proceedings of ICERI2016 Conference 14th-16th November 2016* (Seville, Spain)

[4] Kutchinsky, B. 1973. The Legal Consciousness: A Survey of Research on *Knowledge and Opinion about Law*. C.M. Campbell et al. (eds). Knowledge and Opinion about Law. Martin Robertson, London.

[5] Podgorecki, A. 1973. Public Opinion on Law. C.M. Campbell et al. (eds). Knowledge and Opinion about Law. Martin Robertson, London.

[6] Otje Salman 1993 *Kesadaran Hukum Masyarakat Terhadap Hukum Waris*. (Bandung: Alumni)

[7] Soerjono Soekanto 1976 *Kegunaan Sosiologi Hukum Bagi kalangan Hukum* (Bandung: Alumni)

[8] Soerjono Soekanto 1977 *Kesadaran Hukum dan Kepatuhan Hukum (Suatu Percobaan Penerapan Metode Yuridis-Empiris Untuk Mengukur Kesadaran Hukum dan Kepatuhan Hukum Mahasiswa Hukum Terhadap Peraturan Lalu-Lintas)* (Jakarta: Fakultas Hukum UI)

[9] Soerjono Soekanto 1982 *Kesadaran Hukum dan Kepatuhan Hukum* (Jakarta: Rajawali)

[10] Soerjono Soekanto 1994 *Pokok-Pokok Sosiologi Hukum* (Jakarta: RajaGrafindo Persada)

[11] Soerjono Soekanto 1986 *Beberapa Cara dan Mekanisme dalam Penyuluhan Hukum* (Jakarta: Pradnya Paramita)