



Constructing Local Wisdom-Based Characters of Social Justice as Fundamental Part in Shaping Law School Graduates

Hesti Septianita^(✉), Anthon F. Susanto, Rosa Tedjabuwana,
and Mohammad Alvi Pratama

Universitas Pasundan, Bandung, Indonesia

Abstract. It is important to build the characters of social justice inherently among the students to sensitize them about the injustice suffered by the communities as one of the processes of legal education in preparation to produce good and strong law graduates. Therefore, the problem of this research is on what values of social justice characters that should be taught in law schools in order to shape their graduates' characters and what process or method considered effective to construct the character of social justice to be internalized in the graduates of law. The methods used in this research was conceptual approach. The research was supported with empirical approach. The specification of the research is descriptive analytical. Empirical data were obtained to understand how the clinical legal education methodology can generate social justice traits instilled with local wisdom values. Interviewing law students taking part in clinical legal education was the method used to obtain data. Some characters highlight the outcome of the social justice education through the exposure of handling and empowering the communities such as empathy, pro-social behavior, and altruism. Local wisdom also plays a vital role in the construction of the character because students or law graduates who incorporate values of virtue passed on generations can be more adaptable with the situation of the community when trying to resolve conflict or social injustice.

Keywords: Local Wisdom · Social Justice · Law School

1 Introduction

In many years even today, lawyers have been regarded as a noble profession as said in the adagium: *Officium Nobile* which means Legal profession is noble profession. However, most law students as lawyer candidates refer this adagium mostly in the context of financial earnings. They describe successful lawyers with those who litigate in a court room wearing nice and expensive suits, driving luxury cars, representing rich clients. In fact, the noble profession is not only the works portrayed earlier. Lawyers are engaged in very noble pursuit, which is the pursuit of justice, and the clients do not always come from the haves, but also from the poor.

One of the key points to produce strong and good lawyer is to train the students with litigating skills and at the same time to sensitize them to be aware of social injustice. It is

the duty of law schools to prepare their graduates to not only become successful lawyers litigating in profitable law firms with rich clients but also representing underprivileged people while at the same time empowering the communities, promoting legal literacy, and to be the agents of change.

Legal education is the cornerstone of every effort to address moral crisis (Susanto, Anthon F.; Rahayu, Mella Ismelina Farma; Septianita, Hesti; Tedjabuwana, Rosa; Sukma, 2020), social injustice that is primarily caused by lawlessness, and every law school bears responsibility to do this, be responsible to participate in reforming the law enforcement, to revise the conduct of the law enforcement.

Law school's curriculum should include social justice values and practice to build characters of their graduates. The values are of reflecting good moral and ethics that have been living in communities either as local values or universal language of wisdom in hope that these values will reflect in every gesture and decision they make in the course of their future career.

This research aims to identify on what values of social justice characters that should be taught in law schools in order to shape their graduates' characters and what process or method considered effective to construct the character of social justice to be internalized in the graduates of law.

2 Method

The methods used in this research was conceptual approach to give perspective of the analysis on the attempt to construct the local wisdom-based character of social justice by presenting theories, doctrines related to the social justice, legal education, and the values of local wisdom. The research was supported with empirical approach that was used to describe the real condition to explore and illustrate the information related to the social justice issues that learned and experienced by students.

The specification of the research is descriptive analytical to describe social justice in legal education that constructs the values of virtue of social justice instilled with the social justice traits and local wisdom. Empirical data were obtained to understand how the clinical legal education methodology can generate social justice traits instilled with local wisdom values. Interviewing law students taking part in clinical legal education was the method used to obtain data.

3 Literature Review

Social Justice Traits

When used in education, the term "social justice" is frequently used without definition because it is so evident and straightforward. The definition of social justice, on the other hand, is the equality of rights for all peoples and the opportunity for all people to benefit from the economic and social advancement that is spread and ensured by international collaboration. This definition encompasses widespread ideas of social justice, such as the Equal Liberties, Equal Opportunity, and Difference Principle principles that Rawls outlined. While Miller's definition of social justice includes the concepts of Need (basic

needs), Desert (reward), and Equality (proclaiming that all people are created equal) (McKeown, 2018).

Some researches documented that social justice always be a constant concern of the world especially of some people attributed to as social justice warriors who make efforts to ensure others can enjoy their rights: economic, cultural, religious or legal. These people are those with the traits or some called justice sensitivity or, as we refer, social justice traits.

According to Decety and Yoder (2016) and Schmitt et al. (1995), social justice traits, also known as justice sensitivity, are personality traits that affect how people react to injustice. They reflect a person's concern for justice and are a significant predictor of justice-related emotion and behavior. Empathy and altruism are two pro-social behaviors that it plays a significant role in forecasting (Decety & Yoder, 2016). (Edele et al., 2013).

Building empathy in one's trait requires interaction with others. Empathic interpersonal behavior helps to maintain ties and relation among people. It facilitates cooperative and mutually beneficial relation and the capacity to become aware and understand the distress of others (King Jr., 2011). The capacity to experience or imagine another person's emotions is referred to as empathy. A person's behavior toward others and the caliber of social interactions are influenced by their capacity for empathy, which is a crucial component of social and emotional development (McDonald & Messinger, 2011).

Since empathy is a nuanced concept used to explain the capacity to share and comprehend the thoughts and feelings of others, it is essential when addressing social injustice. Typically, this design consists of multiple interacting parts: 1) Affective sharing (also known as emotional contagion), which reflects the ability to share or become affectively aroused by others' emotional states at least in valency and intensity; 2) empathic concern, which reflects the desire to care for another's well-being; and 3) perspective taking (or cognitive empathy), which refers to the capacity to consciously put oneself in another person's shoes in order to understand what she is thinking or feeling (Decety & Yoder, 2016; Batson et al., 2009).

According to another studies, empathy is the capacity to recognize one's own feelings while distinguishing them from those of others (Berardi et al., 2020; COPLAN, 2011). (Decety & Moriguchi, 2007). Active empathy can result from being able to deeply connect with someone else's feelings as distinct from one's own (Berardi et al., 2020).

Social Justice and Local Wisdom

Ubi societas, ibi cultura, ibi ius means that when there is a society there is culture and there will be law. The culture marks the existence of certain community. Abah Ruskawan (Ruskawan, 2021) argued that the idea developed in the society is that culture cannot contribute to the solution of problems in the society. It merely the decoration of the existence of the society.

In fact, it generated the knowledge of life that is passed on generations that can be duplicated, adopted and applied according to the needs of the society such as to maintain the balance of nature including the man.

Local wisdom refers to principles of life, which are passed through generations by the oral traditions, as in proverbs and fairy tale; it also existed throughout the written tradition, such as in ancient manuscripts. It was gained through experiences and experiments and then was implied within local culture and traditions (Nucifera & Hidayat,

2019). Local wisdom can also be used as an approach when dealing with various conflicts that occur within the community.

Even though local wisdom was born local, some values of virtue that were passed on generations are somewhat applied universally, such empathy, sympathy, and altruism, that become the foundation of social justice character. Some communities in the world especially those lie in eastern part of the world are still applying those values in addition to plural consciousness that has been preserved among rural and, not surprisingly, underprivileged communities comparing their western counterpart that adopts more individual values.

For instance, in Indonesia with numbers of ethnic-groups, local wisdom is applicable as trans-ethnic and trans-cultural wisdom, meaning that some values are adapted in several different ethnic-groups which are applicable across nation and passed through generations verbally as in proverbs or folklore. In addition to discipline, education, health, community work, gender management, maintaining culture, awareness of the environment, peace, politeness, honesty, social solidarity, harmony, conflict resolution, commitment, a positive outlook, and gratitude, the values of local wisdom of ethics in Indonesia include helping others, tolerance, and work ethic (Nucifera & Hidayat, 2019). (Nucifera & Hidayat, 2019).

Social Justice in Legal Education: Why is it Important?

There is no question that the legal profession, like other professions, does not accurately reflect the diverse society it serves (McKee et al., 2018). Additionally, as was previously mentioned, the legal profession is *officium nobile* in the sense that everyone involved in the field of law has a noble duty to ensure that people are not subjected to discrimination or excluded from the legal system and its services.

Therefore, it is important to include social justice in curriculum of law schools to teach and, as noted by George Grossman, to expose students to social justice issues and at the same time to instill the value and take it into their future career (Ashford & McKeown, 2018).

It is vital to understand that legal education is in the position to teach and shape human because teaching and studying law should not be done as if to a machine. Legal education that inclines toward academic only will plug it out from its social reality (Susanto et al., 2020).

While social justice discussing about equality of rights for all people, law plays role in how the rights can be enjoy equally by all people without any discrimination. Social justice and the law are related to one another in this way. Legal literacy, which has been a component of legal aid and access to justice, should arm and empower people to combat injustices and legal issues by increasing public awareness and comprehension of the law and social justice (McQuoid-Mason, 2019). (Pandey, 2021).

Furthermore, McKeown highlighted that social justice can be influential or be influenced in traditional teaching. Law schools can address broader issues of social justice in modules (McKeown, 2018). This notion is supported with Anna Cody and Frances Gibson arguing that law school can contribute to social justice by making their knowledge and research accessible to the community while at the same time emphasize the importance to delivering practical change and challenging inequalities and injustice. It has been suggested that since social justice is a value of the legal profession, attorneys

should make it a goal of their practice to advance and achieve social justice. Ashford and McKeown (2018).

4 Discussion

Teaching Social Justice in Legal Education

Learning in legal education is a process beyond mastering the lesson, idea or technical skills. It is a process of shaping the human’s character to be able to interact with other human beings and to build social sensitivity. Satjipto Rahardjo depicted legal education as (Septianita et al., 2021) (Fig. 1).

Legal education should touch the condition of people and perceive the changes and reaction in the community (Septianita et al., 2021) (Rahardjo, 2009). Since 1970s, law schools and some legal institutions have been promoting and developing clinical legal education (CLE) model in teaching social justice. It is believed to be the most effective, so far, method to sensitize students to problems dealt with by people especially those who come from marginalized group of people and instill social justice character and to teach the students how to empower communities with legal literacy.

Research, problem-solving, communication, drafting, and teamwork are only a few of the purposes of CLE as a way of teaching and learning law, but achieving social justice is also one of its main goals, according to Grimes (2011). These goals can be addressed by utilizing the experiential learning methodology, which necessitates that students and the law school have effective access to applying the law to actual situations and clients (Pandey, 2021), in this case, marginalized individuals. With this approach to education, students are sent into underserved neighborhoods where they interact with the residents while educating them about their constitutional rights and access to justice.

Engaging students with the community and exposing students with the condition faced by community have been proven effective to construct social justice character in order to shape the law graduates and in this case is to mainstream the social justice. This approach is regarded to able to incorporate all forms of intelligence such as IQ, EQ, SQ and even AQ. The concept tries to make a leap by integrating all forms of the intelligence above to develop individual personalities that are critical, tolerant, open, sensitive, empathic and attentive to the social problems and law enforcement (Susanto et al., 2020). Legal education can benefit from CLE to better prepare and accommodate students for such responsibilities. Through these positions, law students can contribute to addressing larger issues like governance deficit, ethical deficit, environment, malnutrition, violence

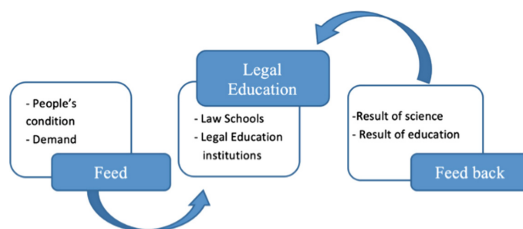


Fig. 1. The interaction process of legal education

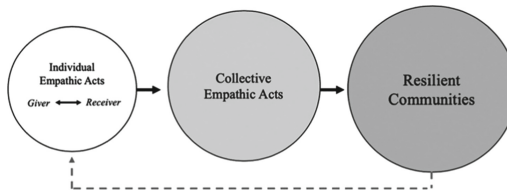


Fig. 2. Conceptual model of empathic act and resilient communities

against women, inequalities, etc. and assist law in achieving its primary goal of justice while upholding the dignity and independence of the average person (Pandey, 2021).

Discussing practice, to produce the best practice model, we must begin with quality. Teaching tools such as manual and handbooks and form of evaluation should be prepared to achieve and ensure quality assurance through supervision and ongoing monitoring. Clinical Legal Education as learning methodology helps both law students and target audiences, which in this case is the community to understand what the law is (Grimes, 2011).

Constructing Local Wisdom-Based Character of Social Justice in Legal Education

As discussed above, Clinical Legal Education is considered to be the effective approach when teaching social justice and instigating the social justice traits to law students. The question coming up is what trait or value should be instilled?

A conceptual model was put forth by Berardi (Berardi et al., 2020) to show how a trait, in this case empathy, can affect a community's capacity for resilience and how even a small act of empathy for someone with whom we interact can spur group action that has the potential to have an impact on and empower our communities (Fig. 2).

Is empathy enough?

This writing proposes the values of local wisdom to be incorporated in the social justice traits when shaping the personality and character of the law graduates in order to produce law graduates that are justice sensitive, to make the law graduates the agents of change.

To make the law students and graduates to be more adapted with the communities, it is best to also instill local values such as plural conscious, mutual cooperation, etc., in addition to the universal psychological traits of social justice mentioned earlier. Therefore, hopefully, the values will reflect in every gesture and decision they make in the course of their future career.

5 Closing

One of the key points to produce strong and good lawyer is to train the students with lawyering skills, however, at the same time, the awareness of social injustice comes to the attention. This issue is to prepare law students to not only become successful lawyers litigating in profitable law firms, representing rich clients but also representing underprivileged people and at the same time empowering the communities. Clinical Legal Education is considered the most effective way in teaching social justice. It is

important to build the characters of social justice inherently among the students to sensitize them about the injustice suffered by the communities through exposure of engagement with the people, to have an experiential learning.

Before exposing the students with those situational experience however, the law school curriculum needs to identify characters to be built in. Some characters highlight the outcome of the social justice education through the exposure of handling and empowering the communities such as empathy, pro-social behavior, and altruism. Local wisdom also plays a vital role in the construction of the character because students or law graduates who incorporate values of virtue passed on generations can be more adaptable with the situation of the community when trying to resolve conflict or social injustice.

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