



# Modernization of Agreement Legal Renewal in The Digital Convergence Dimension

Dina Haryati Sukardi<sup>1\*</sup>, Maria Septijantini Alie<sup>2</sup>, Tyas Desita Wengrum<sup>3</sup>, Puput Dwi Aryani<sup>4</sup>

<sup>1,2,3,4</sup> Faculty of Law, University of Mitra Indonesia, Bandar Lampung, Indonesia

dinaharyati@umitra.ac.id\*

**Abstract.** The modernization of legal renewal in the area of agreements in the digital age is discussed in this study, along with its difficulties. This study used qualitative research as its approach. This form of research, called normative legal research, uses sources and research materials from laws and regulations, books and other legal literature, as well as earlier studies that have been printed in journals, libraries, online, and hardcopy. We now refer to this method of contract renewal in the legal sector that makes use of digital technology as E-Commerce. This use of digital technology has never previously occurred influence on the legal system. The employment of technology in commercial and economic activities is also another issue that society in the digital age is facing. Digital technology has many benefits for business, particularly in the area of contracts, but it also affects competitiveness, data security, and intellectual property rights. To guarantee fair competition and the preservation of corporate rights, this needs to be properly regulated. a World Economic Forum report from 2018.

**Keywords:** Renewal, Agreement Law, Digital

## 1 Introduction

The idea of legal reform, which first surfaced in the early years after we attained independence, is intimately related to discussions about modernizing national law in our nation. We will need to implement legal reforms to address the changes that will take place in our nation as a result of the realization of the creation of a new economic order, the principles of industrialization, and the expansion of trade connections with other nations. One of the crucial responsibilities for the Indonesian nation following independence is the renewal of the law. This law reform is viewed as a desire for necessities resulting from the transformation of Indonesia from a colonial society to an independent nation. Law reform is essential from the viewpoint of societal transformation. Indonesia must establish its own national laws in addition to upholding the

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legacy of the past, whose fundamentals have significantly altered from the era in which we currently live.

Agreements in the field of trade using the internet make it easier and provide very high efficiency for those who need products that are simple in nature or classified as those that require delivery facilities between countries [1]. With technological advancements that have made it easier for consumers in various fields, one of which is in the field of trading or buying and selling in carrying out the lives of consumers who will never be separated from the subject of selling buy, transactions of buying and selling of goods or products are very high in demand from consumers in this era of globalization. With the advancement of modern technology, there have been significant changes in practically every aspect of life, including social, cultural, economic, and other spheres. The number of people using the internet as a trading platform keeps skyrocketing, and many of them have transformed the traditional economic system into a digital economic system. Information technology has compelled society to develop novel products, ventures, and employment prospects.

For example, business transactions via the internet [www.amazon.com](http://www.amazon.com), a virtual store in the United States that is able to present more than 2.5 million books to its website visitors. When compared with the largest traditional bookstore in the US, which is only able to provide around 150 thousand books Therefore, like it or not, ready or not, we are now in the 3rd millennium which is marked by the era of information technology which introduces us to cyberspace media, the internet, which uses paperless document communication. Now the number of internet users in the world is increasing. In the US it reached 110 million at the end of 1999. In Europe internet users in 2000 reached 135 million. Meanwhile, in Asia Pacific it reached 72 million. The benefits of this electronic trade contract can reduce the cost of goods and services and can also increase consumer satisfaction as far as speed is concerned in getting the goods needed with the best quality according to the price [2]. Thus, the role of information technology has the potential to contribute to economic, social and cultural development.

In its development and renewal of law in the field of agreements in the digitalization era, it certainly faces challenges, this is what is interesting to discuss in this writing.

## 2 Research methods

This study uses normative legal research as its methodology. This is due to the fact that researchers used library resources as data to assess cases before conducting this study. Legal history, legal systematics, the degree of legal synchronization (the study of how closely existing written positive laws are synchronous or consistent with one another both vertically and horizontally) and normative legal research are all included.

## 3 Discussions and Results

### 3.1 E-Commerce Agreement

The form of renewal in the field of agreements that uses digital technology means we now call it E-Commerce. E-commerce is a form of trade in which buyers and sellers exchange goods and services or rights [4]. The use of digital information and communication technology in business transactions to establish, modify, and redefine new relationships between sellers and purchasers is another definition of e-commerce [4]. Online buying and selling operations (also known as e-Commerce) are one of the many economic activities that are conducted through internet media. Online transactions between customers and sellers (referred to as "e-Commerce") generally take place through the use of online media up until the delivery of the purchased items.

Changes that are so fast approaching civilization make humans have to be adaptive and required to continue to innovate. Information technology is increasingly showing its influence on life and has led humans to transform into a new order that is full of digitalization or can be referred to as digital transformation [5]. Still in the same era, e-commerce emerged which caused commercial activities to spread to various countries in the world. This eventually helped create changes in the world of industrial goods and services. In this case, Clayton Christensen talks about 'disruption' as opportunities and innovations that will benefit. Christensen's view of disruption has become popular as information technology applications have developed.

Disruption as an opportunity means that everyone should not reject a disruptive technological novelty that in the e-commerce phenomenon that disrupts the e-commerce platform, a gap must be found to be overcome so that when the e-commerce platform becomes a marketing tool, no party will be disadvantaged. According to Christensen, disruptive innovation always starts with observation, research, then ideas. Observations can be made by observing business actors who play a role in the e-commerce platform. After conducting research, it turns out that the status of business actors is unclear because they sell products on a temporal basis, making it difficult to find channels of accountability if a party is harmed. Therefore, there must be an idea as the beginning of an innovation to overcome these problems, for example, by guaranteeing legal certainty for business actors on e-commerce platforms. So, anyone can sell even temporarily when there is guaranteed security from a legal standpoint. The convenience provided in granting temporal business permits will trigger the creativity and entrepreneurial spirit of the community with safe online buying and selling transactions so that in conclusion the characteristics of disruptive innovation in digital transformation are novelties that are able to simplify a product, system, complex and expensive governance into a Quality innovation and affordable

Law Number 8 of 1999 Concerning Consumer Protection (Consumer Protection Law), Law Number 7 of 2014 Concerning Trade (Trade Law), Law Number 19 of 2016 Concerning Information and Electronic Transactions (UU ITE after amendment), and Government Regulation Number 80 of 2019 Concerning Trading through Electronic Systems are just a few examples of the state's efforts and strategies to provide legal protection for online shoppers in Indonesia.

Looking at the legal protection that already exists in e-commerce transactions shows the government's readiness for the rapid growth of information technology towards the digital era and further emphasizes human entry into the business revolution which is now also digital. However, the regulations mentioned have not been able to concretely answer the responsibility and legal protection of consumers for their transactions with temporal sellers or sellers through electronic systems who make occasional transactions. The term used by PP PMSE for temporal sellers is referred to as "personal" in Article 1 point 9 PP PMSE that what is called personal is an individual who sells his product or service without the purpose of commercialization and the activity is only carried out temporarily. Therefore.

### **3.2 Challenges of Agreement Law Renewal in the Digital Convergence Dimension**

A wide range of telecoms facilities and sophisticated information technology products that can integrate all forms of media are the consequence of the fusion of information technology and telecommunications [6]. The internet is growing in popularity, making the world smaller as well as eroding national boundaries, sovereignty, and social order in the midst of a more integrated globalization of communication (global communication network). In this age of globalization, technological advancements have brought about quick adjustments and transformations in a life without limits. Eliminating numerous controls that prevent trade and capital performance from spanning the world is a process known as globalization.

Because different information may be delivered over long distance connections and persons who intend to conduct transactions do not need to meet in person, but simply through computer and telecommunications equipment, the use of technology has led to significant commercial growth. The growth of information technology has also created a global civilization that is no longer confined by national borders and has made real everything that was previously only imagined [7]. Recent technological advancements that have an impact on human existence include the internet and information technology. By utilizing efficiency, effectiveness, and mobility, many human activities undergo considerable change. Unfortunately, these technical developments also create new issues when they are utilized improperly or against the rules.

Crime Cyber (Cyber-crime) is a brand-new menace to the global community that has never been present before. A number of cyber crimes, including hacking, cracking, defacing, sniffing, carding, phishing, spamming, and scamming, are highly serious and have actually hurt many people. Currently, a brand-new legal system called "Cyber Law" has emerged. According to its definition, "cyber law" is the legal term for the use of information technology that is equivalent to the phrase "cyber law," which is currently used internationally. Law of Information Technology, Virtual World Law, and Mayantara Law are additional phrases that are also used. These phrases were created with internet usage and the use of virtual information technologies in mind.

Despite being virtual, cyber acts can nonetheless be classified as genuine legal actions [10]. Juridically speaking, in the context of cyberspace, it is no longer appropri-

ate to classify something using traditional legal standards and qualifications to be employed as objects and activities, as doing so would result in too many complications and things eluding the law. Although the proof is electronic, cyber behavior is a virtual activity that has a very real impact. because there will be too many challenges and things that elude the law if this approach is used. Although the evidence is electronic, cyber behavior is a virtual activity that has a very real impact. because there will be too many difficulties and things that evade the law if this strategy is used. Although the proof is electronic, cyber behavior is a virtual activity that has a very real impact.

As a result, the individual being accused of being the perpetrator must also meet the criteria of having really committed crimes. In every debate of high-tech crime prevention attempts so far, there has been a tendency—or at least the impression—to prioritize legal issues, particularly among jurors. It is commonly believed that Indonesia's weak and ineffective cyberlaw is to blame for the failure to identify the perpetrators of the cybercrime epidemic there. While the social, economic, political, and cultural dimensions are rarely addressed.

While the criminal politics repertoire of prevention places the non-penal approach in a strategic position. The Law on Information and Electronic Transactions (ITE) is deemed to be extremely required for the Indonesian state by the government because Indonesia is currently one of the nations with one of the most extensive and effective information technology usages [8]. so that on April 26, 2008, the government officially approved the ITE Law's passage. The ITE Law aims to achieve a number of objectives, including ensuring legal certainty for those who conduct electronic transactions, promoting economic expansion, preventing crimes involving information technology, and safeguarding service consumers by utilizing information technology.

The creation of the ITE Law is an example of "Legal Renewal" as it reflects the influence of 7 (seven) aspects of legal reform, specifically aspects of science and technology. As is common knowledge, there are actually 8 aspects of legal reform, including aspects of globalization, politics, economics, education, science and technology, the rule of law, and perspectives from Islamic law. In order to prevent a legal void in the event of an illegal act, the Law on Information and Electronic Transactions was created in an effort to balance the progress of science and technology in the sphere of information technology and electronic transactions.

The fact that identity fraud, credit card owner passwords, or a practice known as carding are frequently used to order goods even when a person does not have a bank account poses a barrier in the development of information technology against the validity of agreements in electronic commerce (E-Commerce) [9]. The employment of technology in commercial and economic activity is also a difficulty that society in the digital age is facing. There are many benefits to using digital technology in business, especially when it comes to contracts, but it also has implications for competition, data security, and intellectual property rights.

## 4 Conclusion

The form of renewal in the field of agreements that uses digital technology means we now call it E-Commerce. E-commerce is a form of trade in which buyers and sellers exchange goods and services or rights. The use of digital information and communication technology in business transactions to establish, modify, and redefine new relationships between sellers and purchasers is another definition of e-commerce.

Breaking credit card owner passwords, also known as "carding," allows someone to order a product even though they do not have a bank account, which is a barrier to the development of information technology regarding the validity of agreements in electronic commerce (E-Commerce). In addition, another issue facing society in the digital era is the use of technology in business and economic activity. Digital technology has many benefits for business, particularly in the area of agreements, but it also affects competitiveness, data security, and intellectual property rights.

### Recommendations

Although there are many benefits to using digital technology in business, especially in the area of agreements, there are also drawbacks in terms of competition, data security, and intellectual property rights. This requires proper regulation to ensure fair competition and protection of business rights. A report from the World Economic Forum (2018), the social and economic changes generated by digital technologies have affected market dynamics and created new challenges for the legal system.

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