

ANALYSIS OF SOCIAL CHANGE IN LEGAL DEVELOPMENT IN INDONESIA

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ABSTRACT

All aspects of community life, whether political, social, cultural, or economic, are regulated by law. Therefore, the existence of this law is universal. Development and reform give rise to social changes that give rise to social problems, which puts pressure on the law because the law must be able to overcome these problems. The aim of this research is to analyze social changes in the development of law in Indonesia. This research uses a statutory approach, also called a statutory approach. The results of this research show that law and social change have a close interaction in the context of social change. Both have an impact on each other. Changes in law are influenced by changes in society, and vice versa. Social transformation in society is influenced by legal changes as well. Based on the analysis that has been carried out, social changes in the development of law in Indonesia are: 1) Law Number 11 of 2008 was born, which regulates electronic information and transactions. Law plays two important roles in social change: law as a tool of social control and a technique of social engineering; 2) institutions have an important role in society; the existence of Rukun Warga (RW) and Rukun Tetangga (RT) officials as well as Village Government institutions is also crucial. The role of the village government and RT-RW can be utilized to empower the community effectively in carrying out prevention. 3) Providing legal understanding refers to awareness of the rules established by written law for behavior, namely what the community can and cannot do.

Keywords: social change; law; public; social problems.

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INTRODUCTION

All aspects of community life, whether political, social, cultural, or economic, are regulated by law. Therefore, the existence of this law is universal. Law and society are closely interrelated; they do not differ from each other. Human existence is regulated by law from birth to death (Junaidi et al., 2022). There is nothing in a person's life in society that is exempt from the application of the law. Because society is the source of law, law exists in society (Hatu, 2011).

In everyday life, the term "Indonesian Legal System" refers to a set of rules that are recognized and/or enforced in Indonesia. A law, set of standards, or set of regulations that govern Indonesia is known as Indonesian law (Kartika & Nurhayati, 2023). In other words, this is an expression that is often used. Indonesian law refers to all positive laws currently in force in Indonesia. Talking about the Indonesian legal system means discussing the legal system that applies there. If the law is viewed systematically, this shows that its parts, subsystems, or constituent elements are interconnected, mutually reinforcing, and cannot be separated from each other (Yustitiantingtyas, 2015). Law is the embodiment of the ideals of life of the society in which it is applied and, therefore, is always shaped by the state and the evolution of society. As mentioned previously, law has a broad definition; in other words, it is not normative. Law

plays an important role in people's lives because it guarantees legal certainty in society, apart from being a barrier to justice, order, peace, and order.

Development and renewal give rise to social changes that give rise to social problems, which puts pressure on the law because the law must be able to overcome these problems. (Hanifah, 2019) In short, social change is any change that produces new social impacts that take different forms, structures, and interactions. Many elements, including population, physical habitat, technology, community organization, and culture, are responsible. This social problem requires an appropriate legal response and resolution.

Changes that have a social impact are one way of expressing social change in general. The social consequences of this are that various orders and relationships that previously existed are now changing shape (Soraya et al., 2021). Here, the pattern of relationships between individuals and other individuals, or groups and groups in society, or elements in a system, undergoes change. Social change creates great power by utilizing resources originating from the physical environment. Human activities, such as technological developments, have the power to change social relations and communication systems in modern society (Roy et al., 2024). Moreover, communication technology has developed so rapidly that it has undoubtedly become a major factor in social transformation. This kind of cultural shift has occurred, although it is not necessary, and it can lead to the transformation of society. As culture develops, it occurs gradually and increasingly. Every day, something new is added to what already exists. Therefore, it is necessary to develop it. New discoveries and inventions in various sectors will always occur by combining modern systems with old ones. Apart from that, along with the increase in cultural aspects, socio-economic and cultural life also experiences changes. The relationship between law and social change cannot be separated, although legal positivism states that law must remain separate from society because social sciences are dynamic (Arif, 2013).

This shift occurs as a result of external influences acting on the system. Balance requires both internal and external change, so it makes no sense to prioritize understanding structure over understanding change. inherent in the structure of social life. But change does not always have a positive or progressive impact; this can often lead to setbacks. Social transformation Certain aspects of life are influenced by what happens in other aspects of life (Putra, 2018). Therefore, when societal problems become increasingly complex, it is necessary to study these problems. Based on the explanation above, the study of this scientific article is to examine phenomena that, in reality, are always dynamic in discovering the complexity of societal development. So the research objective is focused on analyzing social changes in the development of law in Indonesia.

METHOD

This research uses a statutory approach, also called a statutory approach, which is a method used to examine the legal and social background and its development, which is reflected in statutory regulations relating to the subject of scientific study (Rusydi, n.d.). The analytical approach involves conceptual analysis of the meaning of law, legal principles, legal rules, legal systems, and various legal concepts. The conceptual approach places emphasis on abstract elements that represent classes of phenomena and points to universal things that are

abstracted from aspects of doctrine, teaching, or theory. The analytical approach is related to the object under study.

RESULTS AND DISCUSSION

Current social developments attract the author's attention because they are the social cause of technological progress, which has led to the creation of modern life. As a result of technical progress, modernization has seeped into traditional rural society. Modernization is the process of making various efforts to create values that are universally accepted, logical, and function physically, materially, and socially (Wibowo et al., 2014). generally happy to go against conventional values. Modernization comes from the words modern (advanced) and modernity (modernity), which is defined as an understanding or set of values that apply both in terms of place, time, and larger social groups, or universally.

In legal studies, the challenge faced by law is how to bring about social transformation in society so that society can carry out fundamental social changes. In other words, the challenge is to encourage societal transformation in a particular region to ensure harmony with other regions that have experienced change (Lestari, 2008). It can also be said that the effort made to produce a well-integrated situation is to use the individual pattern (Ridwan, 2017). The way the law works is by provoking someone to take action or change a social relationship. The characteristics of his work for legitimate purposes are as follows: (1) creating norms, which include norms that establish guidelines and parameters of interpersonal relationships; (2) resolving conflicts; and (3) ensuring the continuity of community life, especially if changes occur.

Social transformation impacts human communication, thought processes, and behavioral patterns. Today, there are many different ways society can change. Regarding the interesting phenomenon of openness in admitting past behavior that is considered unacceptable, After the recent rise in the behavior of watching celebrity pornography via smartphone media in Indonesia, this technological advancement has become interesting (Bramantyo, 2018). Another case of social change in the legal realm is based on data from the Internet Crime Complaint Center (IC3). Before the epidemic occurred, the FBI reported receiving an average of 1,000 complaints per day; now, they receive between 3,000 and 4,000 complaints per day about cybersecurity. Cybercrime is believed to be linked to Americans' daily online habits, which have increased since the pandemic. The fact that more and more employees and businesses are not aware of cyber security precautions is also a contributing factor, and cyber crime also occurs in Indonesia. As one of the largest marketplaces in Indonesia, the case of Tokopedia customer data leakage also leads to cybercrime. Many points of view discuss social phenomena. Technology also has an impact on responsiveness to technology, which will produce a number of beneficial social improvements, such as the use of technology for work and study. Other examples are in the fields of psychology, social work, and law. About the interesting phenomenon of openness in admitting past behavior that is considered forbidden.

In the midst of problems in society, according to Juhaya S. Praja, there are three ways that laws can function as a tool for social transformation (Hafiz & Saumantri, 2022). First, by establishing statutory regulations; second, by utilizing institutions or components of belief that are considered suitable and profitable; and third, by increasing public understanding of the law (Halim, 2015).

In connection with this, Law Number 11 of 2008 was issued, which regulates electronic information and transactions. Law plays two important roles in social change: as a tool of social control and as a technique of social engineering. Therefore, this regulation was created as a response to the social changes brought about by the digital era, that is, specifically addressing societal needs and eliminating cybercrime as a new form of criminal activity. General Law

Number 11 of 2008, which regulates electronic information and transactions, provides an understanding of this context (Soraya & Yukamujrisa, 2022). It is stated there that media, information technology, and communication have changed human civilization throughout the world, as well as societal behavior. Advances in information and communication technology have also created a world of unlimited or limitless relationships, as well as very rapid progress in the social, economic, and cultural fields.

Information technology today is a double-edged sword because, apart from increasing civilization, prosperity, and human progress, information technology has also simultaneously developed into a powerful tool for carrying out illegal activities (Hanifah, 2019). Currently, a new legal system is called telematics law or cyber law. Highlighting the various cases above, social change does have a significant influence on law enforcement in society, even in one community. The lack of public legal awareness also plays a role. This condition is a separate challenge to how the law can play a role in society. In this condition, the role of the law as a means of social change is important to put into practice. The presence of law as a tool to change people's lives in a more important direction for good is done in today's society.

Apart from that, institutions and their support are needed so that the law can have an impact on social transformation. All institutions have an important role in society; the existence of Rukun Warga (RW) and Rukun Tetangga (RT) officials, as well as village government institutions, is also crucial. The role of the village government and RT-RW can be utilized to empower the community effectively in carrying out prevention. They are the ones who are closer to and more familiar with the personalities of their citizens; therefore, they are important. Social change will certainly be easier to implement if there is cooperation from the Bhayangkara Security Supervisor, Village Supervisory Officers (Babinsa), and Community Order (Bhabinkamtibmas). Another way to do this is by providing legal understanding, which refers to awareness of the rules established by written law for behavior, namely what people can and cannot do.

Law and social change have a close interaction in the context of social change. Both have an impact on each other. Changes in law are influenced by changes in society, and vice versa. Social transformation in society is influenced by legal changes as well. There is a connection between social transformation and the legal industry. interaction relationship. Fuadi Munir believes that the possibility of legal changes that will have an impact on social change is in line with one of the objectives of law, namely as a tool for social engineering or social transformation.

CONCLUSION

Based on the analysis that has been carried out, law and social change have a close interaction in the context of social change. Both have an impact on each other. Changes in law are influenced by changes in society, and vice versa. Social transformation in society is influenced by legal changes as well. There is a connection between social transformation and the legal industry. interaction relationship. Fuadi Munir believes that the possibility of legal changes that will have an impact on social change is in line with one of the objectives of law, namely as a tool for social engineering or social transformation.

Social changes in legal development in Indonesia were marked by the birth of Law Number 11 of 2008, which regulates electronic information and transactions. Law plays two important roles in social change: as a tool of social control and as a technique of social engineering. In its implementation, institutions have an important role in society; the existence of Rukun Warga (RW) and Rukun Tetangga (RT) officials as well as Village Government institutions is also crucial. The role of the village government and RT-RW can be utilized to

empower the community effectively in carrying out prevention by providing legal understanding, which refers to awareness of the rules established by written law for behavior, namely what the community can and cannot do.

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