

# ROLE OF HIGHER EDUCATION LAW DEGREE IN LAW WHICH PRODUCE COMPETENT AND INDUSTRIAL REVOLUTION IN THE ERA PLY 4.0

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Abstract

4.0 The term industry born from the idea of the fourth industrial revolution. Presence in one offer many benefits on the other hand is expected to have a negative impact especially on the social and economic standpoint. 4.0 In order to realize industry requires the involvement of academics, especially higher education law will produce legal scholars who can solve the problems of law or a career in the field of law and legal fill positions. The role of higher education law may provide konrtibusi with the development of human resources which has the necessary capabilities in accordance outcomes attainment of the higher education systems of law through legal mechanisms of higher education curricula developed adjusted for changes in values of which exist in society.

Keywords: Higher Education Law, legal scholars, the industrial revolution 4.0

## 1. Introduction

Education is very important in human life. Through education, man can know everything already is and will be happening in this world. According Makoeri Jasin two urge people want to increase their knowledge about something that is the first impulse of a practical nature that humans as beings that can think, virtuous, compassionate and always trying to make life safer and intelligence higher, encouragement is what the end result of science applied science and technology. Both urge non practical or theoretical nature that humans have a curious and want to understand the truth about this drive object raises the so-called knowledge of pure science or science<sup>1</sup>,

Humans to capitalize the language he is able to communicate with humans in order to find information on everything you want to learn. In addition, humans have the ability to think in a certain frame of mind groove called reasoning. In connection with this Suparma said that through education people can produce reliable human resources. It can be implemented through systematic education and training or informally in the workplace can also be implemented with self-development on their own initiative seek to acquire knowledge and skills.

Education in Indonesia as mandated by Article 31 paragraph (3) of the Constitution of the Republic of Indonesia Year 1945 which reads Government shall manage and organize a national education system that enhances faith and devotion and noble character in the context of the intellectual life of a nation governed by laws, born of Law No. 20 of 2003 on National Education System (Education Law). Thus, education in Indonesia is in the system<sup>2</sup> the systems of education, which means there are subsystems .UU Sisdiknas regulating the educational sense is the conscious and deliberate effort to create an atmosphere of learning and the learning process so that learners are

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<sup>1</sup> Maskoeri Jasin, *Ilmu Alamiah Dasar*, Bina Ilmu, Surabaya, 1988, p 8.

<sup>2</sup> National Education System is a whole komponen education are interlinked in an integrated manner to achieve the goals of national education. (Article 1angka 3 Education Law)

actively developing the potential for him to have the spiritual power of religion, self-control, personality, intelligence, noble character, and skills needed him, society, nation and state.

Basically, education is guidance given by educators to the development of learners to reach maturity with the aim that learners are quite capable duties not his own life with the help of others. Education comes from the students, to educate is to give something that positively impact either exercise or genius akhak<sup>3</sup>, This is in line with the formulation of education by Ki Hajar Dewantara that:<sup>4</sup>

Education generally means that efforts to promote the growth of manners (inner strength, character), mind (intellect and the child's body) in the Student Park should not be separated parts of it so that we advance the perfection of living the life and livelihood of children that we students, in harmony with the world.

Education provides life skills that give skill proficiency and expertise with high competence in the learners so that is always able to survive in an atmosphere which is always uncertain and competitive changes in his life. These skills must be acquired learners early on so that they become knowledgeable society that lifelong learning (life long learning). Education has the task of preparing learners for tomorrow. For that education is not enough just to provide the skills, proficiency and expertise without accompanied by a private establishment that education translates into a systematic and systemic activity that leads to the formation of the personality of the learner.<sup>5</sup>

Higher Education Law is part of the national education system and are an integral part in forming human and people of Indonesia were cultured and quality in order to create a society that is humane and fair law by the Almighty God. Legal education is one kind of education should be in the exact same understanding and implementation sebagaimana described above. In simple terms means that legal education is education that is intended for someone who wants to become an expert in the field of law. Through legal education is not only produced legal experts who know the ins and outs of the rule of law,

Therefore the College of Law is expected to be able to give birth to the legal scholars qualified to maturity of spiritual culture of the soul and conscience rooted in religious ethics. In this connection College of Law consistently strives to produce products that have a wide range of competences, including academic competence related methodological knowledge, professional competence relating to the ability of the application of science and technology in the reality of life and intellectual competence associated with sensitivity to all problems flourish today.

Targets as described above is in accordance with the demands of the times, as well as to realize from the destination National Legal Development: first create employment in the legal field who understand the law as a

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<sup>3</sup> Peter Salim and Salim Yenny *Kamus Bahasa Indonesia Kontemporer*, Modern English Press First Edition, Jakarta, 1991, hlm.353

<sup>4</sup> Ki Hajar Devantoro, Pandangan tentang Pendidikan di Indonesia (online) <http://www.adiens-production.com/2011/11/> downloaded dated December 4, 2018

<sup>5</sup> Tirtarahardja and SL La Sulo, *Pengantar Pendidikan* PT Gramedia, Jakarta, in 2005, hlm.35

social phenomenon and is able to perform the functions as a means pembangunan, both creating employment in the legal field who are able to have technical capability and have the skills in designing legislation for the purposes of government and parliaments of the three increases coaching attitude of law enforcers towards upholding the law of justice, and the protection of human rights, order, and legal certainty fourth increase of public awareness so that people can exercise the rights and obligations as stipulated in various laws and regulations that apply so expect people to abide by and implement.

In the era of industrial revolution 4.0 that characterized the era of technology and the digital information that appears is expected to hit the old rules<sup>6</sup>, Various developments in science and technology have changed the complexion of public life, including in terms of its legal life. The case of cloning which is the development of genetic engineering technology allows the creation of another copy of the same as the original sheep egg cell taken from him. Cloning is genetic engineering that resulted from the discovery of Crick and Watson on the molecular structure of DNA in 1953.<sup>7</sup> Case taxi online in several places in Indonesia is the beginning of this problem. In the future we will find some of the problems associated with digital business. Room rental through the application in several countries have started protesting for the environment because of its designation mentioned not disturb room rental. One thing that can not be avoided is that we must confront teknologi.digital progress. Industry 4.0 is predicted to have a negative impact especially on the social and economic viewpoint, this impact is prone to happen in developing countries that the level of social and economic gaps still relatively high

In the era of industrial revolution 4.0 college law must run its main role is to prepare the mechanism to print the competent legal scholars in their fields and atmospheres combining or linking legal theory and practice of law. As a producer of a law degree is certainly the most relevant measure of the success of the higher education law whether graduates produced a positive role for the development in the field of higher education law. Higher education law is certainly not enough just to respond to that which is done is pass a law degree to achieve goals alone but the legal profession is not responsible for what he did the graduation.

## 2. Research methods

The research method in this paper is a method normative research is research that analyzes based on laws and regulations governing the national education system and higher education .Research uses the study of literature research tool. Sources of data obtained from the primary legal materials in the form of binding law, namely the Law on National Education System and Higher Education Act, the Presidential Decree No. 8 of 2012 on the Indonesian National Qualifications Framework; secondary law which provides an explanation of primary legal materials namely books, research, publications on the law on higher education law and the industrial revolution 4.0 ..

## 3. Result and Discussion

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<sup>6</sup> Angela Merkel found industriy 4.0 is a comprehensive transformation of all aspects of production in the industry through the incorporation of digital technology and the Internet with the conventional industry.

<sup>7</sup> Yusuf al Qaradawi, *Fatwa-fatwa Kontemporrer* Pustaka Al Kauthar, Jakarta, 2001, pp 512

#### a. Industry Concepts 4.0 and its impact

4.0 industry term born from the idea of the fourth industrial revolution. European parliamentary research service in Davies said that the industrial revolution happened four times. The first industrial revolution occurred in England in 1784 in which the invention of the steam engine and mechanization began to replace the work of this first human. Revolusi transform production methods. Social order, improve productivity and change the standard of living. The second revolution occurred in the late 19th century in which the emerging development and mass production of electric energy. The use of computer technology for the automation of manufacturing started in 1970 to mark the third industrial revolution. Currently the rapid development of sensor technology, interconnect and data analysis gave rise to the idea to integrate these technologies into various industrial fields.<sup>8</sup>This idea was predicted to be a next..Numeral the industrial revolution in the industry term 4.0 refers to the fourth revolution. Industry 4.0 is a phenomenon that is unique when compared to three of the industrial revolution .industri 4.0 announced a priori because the event has not happened and in fact still in the form of ideas.

4.0 The term industry itself was officially born in Germany precisely the time of the Hannover Fair in Germany in 2011.<sup>9</sup>Reich had a great interest in this regard because the industry 4.0 become part of virtue plan called high tech development strategy for 2020. The policy aims to maintain Germany that has always been a world leader in manufacturing. Several other countries also participated in the realization of the concept of industry 4.0 but using different terms such as smart factories, industrial internet of things, smart or advanced manufacturing industry. Although it has the same goal which is to improve the competitiveness of the industry of each country in the face of a highly dynamic global market. The condition is caused by the rapid development of digital technology utilization in various fields.

Digital technology is becoming a major driving force (driving force) of economic development in the present and the future. Economy and society in general can not avoid revolution (quick change) is a digital technology that reaches practically all the activities of our lives. The utilization of digital technology (conversion processes with digitalisasi with binary ones and zeros) to reach the various aspects of life in our communication, production, and distribution to become more effective and efficient.

As another revolution, the digital revolution to release people from the shackles of the old order and the new freedoms won. Digital freedom enjoyed by homo digitalis-like Paris for prisoners who are released from the Bastille.<sup>10</sup>Homo digitalis got him as if in a new world without a state (digital state of nature). In those circumstances, fair and unfair is not recognized. Every person becomes a judge and even a god over another. The sophistication of

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<sup>8</sup> Davies, Industry 4.0 digitalisation for growth productivity and [http://www.europarl.europa.eu/Regdata/etudes/BRIE/2015/568337/EPRS\\_BRI](http://www.europarl.europa.eu/Regdata/etudes/BRIE/2015/568337/EPRS_BRI) (2015) 568337 EN.pdf downloaded on 11 November 2018

<sup>9</sup> Kagerman H.Lukas Washlster WD & W (2011) Industrie 4.0 Mit dem der dinge Internet auf dem weg zur industriellen Revolution <http://www.vdinachrichten.com/technik-gesellschaft/industrie-4.0> downloaded on 11 November 2018

<sup>10</sup> F Budi Hardiman, *Homo Digitalis*, Kompas, March 1st, 2018

devices are not quickly realized he had participated produce brutalis through his messages. Homo transformed into homo digitalis brutalis.

## **b. Legal higher education**

Before talking about the higher education law will first be described briefly on the position of legal science in the structure of science. The word science can be interpreted in two things: as a product and as a process. As a product of science is knowledge already terkaji true in certain areas and arranged in an as presented by Wim van Dooren cited by Bernard Arief Sidharta that science can be defined as legitimate knowledge intersubjectively in the field of reality certain that relies on one or more point of departure and laid out in a systematic,<sup>11</sup>

In the history of science has been known for a wide variety of ways to classify positive sciences to produce a chart that can provide an overview of these sciences. Classic classification according to the whole science of Aristotle divided into two groups namely groups of theoretical knowledge and practical science groups. Science of law belong to the group of science practically, it should be added that the science of law and medicine that has a special position in the classification of science is not only a long history but because of the nature and the direct impact on human life and society are carried away by the properties and Problems that has led and guided development.<sup>12</sup>

Understanding of the law as an object of study should remain a guide for those who want to study law in the realm of the study of doctrinal and non-doctrinal realm of study. It is merely to keep restoring the idea that the mouth of doctrinal and non-doctrinal studies in the science of law remains the same, namely to realize the goal of the law is justice. Law as an object of study has never changed even though the science of law had been developed. Legal science works with its own method to realize the objectives of the law. Help study of the social sciences is required for searching the substantial justice. Legal science and social science are two different fields of education and learning so that the pattern is not the same.<sup>13</sup>

Problems of higher education in the development of law in Indonesia is related to higher education orientation law. Satjipto Rahardjo suggests the idea that higher education law at undergraduate level on one side and higher education law of master and doctor on the other hand have different characteristics. Legal education at the undergraduate level skill-oriented education arbitrate, while legal education at master and doctoral level are responsible for the search for truth of phenomena that occur in the community<sup>14</sup>, Higher education law is on the crossroads, related to higher education graduates orientation law. Determine the direction of graduates of higher

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<sup>11</sup> Bernard Arief Sidharta (ed) *Apakah Filsafat dan Filsafat Ilmu itu* ,Pustaka Sutra Bandung, 2008, hlm.104

<sup>12</sup> ibid hlm.111

<sup>13</sup> FX Adjie Samekton in Achmad Busro (et al) *Pendidikan Tinggi Hukum & Masa Depan Penegakan Hukum di Indonesia* ,Thafa Media, Yogyakarta, 2014, hlm.xii.

<sup>14</sup> Trisno Rahardjo ,*Pendidikan Hukum dalam Membangun Hukum dan Membentuk Karakter Penegak Hukum*, in Ahmad Busro (et al), *Pendidikan Tinggi Hukum & Masa Depan Hukum di Indonesia*, Thafa Media, Yogyakarta, 2014, hlm.235.

education law is closely related to kerikulum arranged in order to drive the basic competence and the competence of graduates of higher education law,

Curriculum change is a natural process that occurs and should occur in line with developments in science and technology, the needs of society, the progress of the times and a new government policy. Products related laws of the National Higher Education Curriculum regulated in Article 29 of Law No. 12 Year 2012 on the National Higher Education stipulated in Article 29 that is on the National Qualifications Framework for Higher Education Curriculum refers to a competency-based KKNI. The curriculum of higher education have a change after the enactment of Presidential Decree No. 8 of 2012 on the Indonesian National Qualifications Framework (KKNI) as the implementing regulations of Article 29 of the Higher Education Act. KKNI is gaps qualifications framework components that can reconcile and integrate equalizes between education and job training field and work experience in order to award the work in accordance with the recognition of the competence of the structure of employment in various sectors. Embodiments of the quality and identity of Indonesia related to the education and training system as well as Human Resources enhancement program nationally. KKNI based curriculum will improve the quality of college graduates.

The background of the establishment of curriculum-based KKNI divided into two, both externally and internally. Externally background includes global challenge and competition as well as the ratification of various conventions. While internally background includes gaps (quality, quantity, and ability), unemployment, various rules or qualifications and diverse education. With the formulation of this KKNI based curriculum, it is expected there equalizing the quality of education. One way that can be done is to reconstruct the curriculum and the methods used.

Presidential Decree No. 8 of 2012 on the KKNI become a reference in the preparation of the learning outcomes of graduates from each level of education nationwide. The Presidential Decree had an impact on the curriculum and its management in each subject. The curriculum that was originally refers to the achievement of competence be referring to the outcomes of learning (learning outcomes). With the KKNI is expected to change the way a person is no longer viewed merely competency certificate but by looking at the agreed framework of national qualification as recognition of the results of one's education broadly accountable and transparent.

Higher education law has a standard achievements in KKNI namely in the field of working ability and mastery of knowledge. In the field of employability, higher education graduates law must be:

- a. Able to draft solving or case law through the implementation of a juridical problem thinking method based on theoretical knowledge about the sources, principles, principles and legal norms of the various fields of positive law in Indonesia which is the basic skills to carry out the legal profession;
- b. Able to formulate ideas logically critical and argumentative in Indonesian positive law and communicate orally and / or written specifically within the scope of the academic community, according to academic ethics;

- c. Able to decisions in academic, independent, and responsible in solving the case or legal issue and be able to cooperate with colleagues;
- d. Have ethical attitude, fair, legal, sensitive and concerned about the social environment in designing and applying the law.

In terms of acquisition of knowledge, higher education graduates legal standards must be:

- a. Have a good grip of theoretical concepts of (a) the characteristics, structures, and theories of jurisprudence (b) source, principle, principles and legal norms (c) system or the Indonesian national legal order and the history of its development;
- b. Have a good grip of basic knowledge about the history and aspects teiritis fields Positive Law Indonesia which at least include Civil Law, Criminal Law, Administrative Law, International Law, Customary Law, Islamic Law, both aspects of the material or substantial or formal or procedural;
- c. Have a good grip of knowledge of the principles and steps to resolve the issue or case law through the application of legal discovery method so that it can formulate it into a form of rudimentary legal document that is at least in the form of legal memoranda, legal documents to act before the contract documents and legal documents to work regulative such as company rules and beschikking;
- d. Have a good grip of basic knowledge of legal research methods using the method to think logically and critically in order to build a scientific argument.

**c.Role Legal Education Law Degree competent and personality**

Laying and realized in earnest legal education as a subsystem of the legal system is very important and this mendasar.pendekatan allow legal education in an integrated and functional both theoretically and practically with all components of the legal system. The basis of a legal system is the conception of the ultimate rule of recognition that emphasizes the validity of the rule. During this time legal education placed as something that stands alone. This resulted in legal education and results less functional in developing and accurately fill sub-system components of law. It means the right,

The legal system consists of systems and legal understanding of the system is entirely composed of several parts that have a functional relationship, both between the sections and functional relationship to the totality, so the relationship that led to a dependence between the parts that if one part is not working properly it will affect the whole of it. <sup>15</sup>In essence, the legal system is an integrated system composed of subsystems great smaller, the rule of law, education law, the law enforcement and others are essentially a separate system with its own processes as well. This suggests that the existence of the legal system as a system that has several sub-systems of the support and it requires a process as other systems.

What about the national legal system in Indonesia? There are suggestions that Indonesia does not have the legal system. Yet still there must be an effort to make it happen. In this case the Indonesian legal system should continue to include a few things: the legal subsystem development both written and unwritten laws, improvement of the legal structure more effective and .involvement entire community that has legal awareness.

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<sup>15</sup> Moh.Kusnardi and Harmaily Ibrahim ,*Pengantar Hukum tata negara Indonesia*, CV Sinar Bakti, Jakarta, 1988, hlm.171

Besides the construction of the legal system should also include the development of law enforcement, the legal infrastructure and legal culture. While well-organized Indonesian national legal system must reflect the truth, justice, accommodating and aspirational.<sup>16</sup>

Implied in the effort to create a legal system in Indonesia has also been realized subsystem law for a good functioning of the legal system. Actually, the legal system is not just a set of norms or rules of law but covers also processes and institutions. The process itself is not limited to law-making, but also the application of the law. Institutional bodies include law makers and law enforcers and as appropriate, including the institution of legal education.

Through higher education law is not only produced by the experts know the ins and outs the rule of law, the application of the law and will megisi institutional in the field of law, but helped create and develop the law through legal doctrine and legal analysis. During this time the higher education law is not part of the development or renewal of the law.

With the structure and content of the curriculum and discontinuous as the selection of the concentration on education law students and law graduates will just think it discontinuous, not infrequently student or a law degree so proud of the concentration of choice and there is no feeling less because it does not mastered the field of law. However deepen understanding of law graduates in the fields of concentration, but they will not be ready because as a real law (law in action) interdisciplinary not fragmented. As long as this is not addressed in a comprehensive manner by putting the legal system as a basic approach to legal education and the law is designed as a component of the legal system during which there will always be complaints about the ability of law degree qualified in law enforcement.

Community development intensified with the development of information and communication technology led to a shift in the values of enforceability in the community. It takes a new understanding when faced with the challenges that are experiencing a shift in the order of value. Advances in information and communication technology has forced people to enter the development phase of globalization that is already at the level of industry 4.0. Changes it has brought a new trend, either directly or indirectly against the law. Laws should give legality to any changes that occur so that traffic in human relationships in the face of the current 4.0 industrial revolution was not disturbed and do not collide with each other. Higher education aspect of the law is very influential in changing the law.

#### **D. Conclusion**

Legal education has a very strategic position in the country. Higher education law is necessary and should be taken seriously because it has a significant influence on the practice of law in society. The practice of law in a country will have broad impact to many other areas of life such as political, social, economic. One very important meaning as a result of the above discussion is that legal education should and seyoyanya produce legal scholars as a jurist (whether held strict separation between academic and professional legal education or not). Providing legal education should be able to produce a law degree reflect the truth, justice, accommodating and aspirational

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