

# Law in the Review of the Social Change Aspects in Indonesia

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**Abstract:** *Law has an indirect influence in encouraging the emergence of social change in the formation of certain social institutions that directly affect the community. On the other hand, the law establishes or modifies key institutions or social institutions that are important, then there is a direct influence, which is then often called the law used as a tool to change people's behavior. The significance of the role of law in creating social change is then led to emerging strategies that utilize the creation of the law to bring society to a certain direction and purpose. However, not all legal regulations that are made will necessarily succeed to create social change. There are many things that need to be paid attention to in order to streamline a legislation in order to bring society toward the changes desired by lawmakers. Concepts and thoughts about Ubi societatis Ibi ius meaning where there is a society there is law, it is necessary to describe the relationship between social change and law in relation to the rules. Society exists and creates law, society changes, hukumpun changes. Changes in the law through two forms, namely the society changed first, the new law came to legalize the change (passive change) and other forms of law as a tool to change to the better (law as a tool of social engineering). Based on this background, the authors are interested to discuss about social change, more deeply in the legal aspects as a tool for social change. Understanding Social Change. Change is defined as a thing or circumstance change, transition and exchange. Thus change is a process that results in the present state different from the previous state, because of changes or exchanges. William F. Greg imposed restrictions on the meaning of social change only on the elements of culture. Kingsley Davis argues that social change is a change in the structure of society. For example, with the emergence of labor organizations in capitalist society, there are changes in relations between laborers and employers, then changes in economic and political organizations. Changes have broad aspects, including those relating to values, norms, behaviors, social organizations, social layers, power, authority and social interaction. According to Koenjaraningrat social change itself includes values that are material and cultural specific to achieve common goals. Related to this matter O.P.Darma and O.P.Bhatnagar noted there are at least four factors that stimulate changes in humans are: People are constantly trying to modify the natural resources in the form of problem solving. These efforts are made by humans to meet the needs, complement and refine the changes that are sustainably created in the human environment.*

**Keywords:** Legal Basis and Aspect of Social Change

## 1. Introduction

Social change in people's lives is a common phenomenon that occurs in every society anytime and anywhere. Social change is also a social phenomenon that occurs over time. Because of the attachment of the symptoms of social change in society, until someone says that everything in society changes, except for one thing that changes itself. Concepts and thoughts about Ubi societatis Ibi ius meaning where there is a society there is law, it is necessary to describe the relationship between social change and law in relation to the rules. Society exists and creates law, society changes, hukumpun changes. Changes in the law through two forms, namely the society changed first, the new law came to legalize the change (passive change) and other forms of law as a tool to change to the better (law as a tool of social engineering). The role of law in society especially in facing the change of society needs to be studied in order to encourage the happening of social change. The influence of the role of this law can be direct and indirect or significant. Law has an indirect influence in encouraging the emergence of social change in the formation of certain social institutions that directly affect the community. On the other hand, the law establishes or modifies key institutions or social institutions that are important, then there is a direct influence, which is then often called the law used as a tool to change people's behavior. The significance of the role of law in creating social change is then causing the emergence of strategi-strategies that leverage the creation of laws to lead society toward certain goals and goals. However, not all legal regulations that are made will necessarily succeed to

create social change. There are many things that need to be paid attention to in order to streamline a legislation in order to bring society toward the changes desired by lawmakers. Concepts and thoughts about Ubi societatis Ibi ius meaning where there is a society there is law, it is necessary to describe the relationship between social change and law in relation to the rules. Society exists and creates law, society changes, hukumpun changes. Changes in the law through two forms, namely the society changed first, the new law came to legalize the change (passive change) and other forms of law as a tool to change to the better (law as a tool of social engineering). Based on this background, the authors are interested to discuss about social change, more deeply in the legal aspects as a tool for social change. II. Problem Formulation1. Understanding Social Change2. Social Change Factor3. Law as Tool For Social Change III. Discussion of Understanding of Social Change. Change is defined as a thing or circumstance change, transition and exchange. Thus change is a process that results in the present state different from the previous state, because of changes or exchanges. William F. Greg imposed restrictions on the meaning of social change only on the elements of culture. Kingsley Davis argues that social change is a change in the structure of society. For example, with the emergence of labor organizations in capitalist society, there are changes in relations between laborers and employers, then changes in economic and political organizations. Changes have broad aspects, including those relating to values, norms, behaviors, social organizations, social layers, power, authority and social interaction. According to Koenjaraningrat social change itself includes values that are material and cultural

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specific to achieve common goals. Thus the community is a social group that inhabits a place. The term social itself is used to express the association and the relationship between man and his life, this happens to society on a regular basis, so the way this relationship changes in the course of time, thus bringing to change society. Change is a social process that is experienced by society and all elements of culture and social system, where all levels of community life are voluntarily or influenced by external elements leave the patterns of life, culture and social system long ago adjust to or use patterns- patterns of life, culture, and new social systems. As has been expressed above the change is as a matter or state of change, transition and exchange, then the change itself takes place a process that will result in social change. Thus change is a process that results in a state of difference now with the former state. Factors of Social Change. The process of changing society is basically a change in life behavior patterns of all new social norms in a balanced, progressive and sustainable way. The old-fashioned polo-lifestyle that is considered outdated and irrelevant will be replaced by new life patterns that do not fit into the present and future needs. Others argue that the change also occurs in a society can be caused by disruption of balance or absence of synchronization, disruption of this balance will result in tensions within the human body, in addition, there is also a dissatisfaction of a society to the existing cultural conditions. On the other hand dominant in the change itself, should not be denied because of new invention (invention), the growing population and culture (culture). The aspiration of an individual or group in the implementation of social change is strongly influenced by the innovation and adaptation of any emerging technologies, or visible in the midst of society, both internal and external (extrinsic) technologies of the country. This phenomenon illustrates that the importance of innovation for progress and change in a society, so that eventually can be used as part of civilization society. Related to this matter O.P.Darma and O.P.Bhatnagar noted there are at least four factors that stimulate changes in humans are: People are constantly trying to modify the natural resources in the form of problem solving. Upaya is done man to meet the needs, complement and refine the changes that are continuously created in the human environment. This competitive process to compare one's ability with others is determined by the thrust of innovation. In the sadness of disorganization is the habit of society is usually very little in working in the new environment as a stimulus to make changes. Based on the reviews of these figures, then a comprehensive change requires stimuli that can motivate the object of the goal of change. Equally important is the extent to which the stimulus can have an impact, both positively and negatively, it is automatically understood that the stimulus will be quickly accepted if it brings benefits to the recipient of the change itself. Many of the things that led to the change in society include contact with other cultures. Direct and indirect contacts have led to social and cultural change. As an example of influence. The existence of foreign communities in certain areas and also the internet that spread the influence of foreign culture. Formal formal education system. Education is a very decisive factor for a change towards a better direction. The human resources of a place will improve the welfare of the people, because they are more able to effectively and efficiently manage the Nature.

Attitude appreciates one's work and advanced desires. Each work can have the potential to advance human civilization. Like the work or invention of the phone. At first the phone was not considered by the public as a great work they were more disdainful of it. But once the people know the real function of the work becomes highly respected society. A definite act begins with desire. The desire to move makes us progress towards the better. Open system of society. Open systems allow for a wide range of social movements or means of giving individuals an opportunity to advance on their own merits. In such circumstances, a person may identify with citizens who have a higher body. Identification is such a behavior that a person feels equal to another person or group considered higher in the hope of being treated the same as that group. Identification occurs in superordinate ordination-subordination relationships. In lower-class groups there is often a feeling of dissatisfaction with their own social position. The situation in sociology is called status-anxiety. Anxiety status causes one to strive to elevate its social standing. Heterogeneous population. In societies made up of social groups with different ideological racial backgrounds, it is easy to find contradictions that invite shocks. Such circumstances are the driving force for changes in society. People's dissatisfaction with certain areas of life. Orientation to the future. The value that humans must always endeavor to improve their lives. Factors that hinder change. Lack of relationships with other communities. Life alienated or distant from the life of another society causes a society not to know the developments of what happens to other communities that may be able to enrich their own culture. It also causes community members to be confined to their thinking poles by tradition. The late development of science. This may be due to the life of the community is alienated and closed or because it is colonized by other communities. The very traditional attitude of society is an attitude that exalts tradition and past and the claim that tradition is absolutely irreversible inhibits the course of change. The existence of vested interests with strong or vested interests in any social organization that recognizes the coating system will surely be a group of people who enjoy the position of changes. For example in feudal society and also in transition society. In the latter case, there are groups within society that are considered to be pioneers of transition. Always identifying with their efforts and services, it is hard for them to give up their positions in a process of change. The fear of the shakiness of cultural integration must be recognized if it is not possible integration of all elements of culture that are perfect some clustering of certain elements have integrity degreehigh. That is, outside elements are feared will destabilize integration and cause changes in certain aspects of society. Law As A Tool To Make Social Change. Law and social change when described as two sides of the coin, both affect each other. Social change has an impact on the changing laws of society, as well as legal changes will contribute significantly to social change. The fact that a legal establishment can bring about change in society enables legislators to wisely establish the law so that the established law can bring benefits to society, not to the contrary bring chaos. Law plays an important role in encouraging social change in various ways. First, the law can form a social institution that will have a direct influence on the level or character of social change. Second, the law often provides an

institutional framework for specific institutions specifically designed to accelerate the effect of change. And thirdly, the law establishes the obligations to build situations that can drive change. There are several conditions within the law that can influence behavior (social change) effectively. First, the source of the newly established law must be authoritative and prestigious. The mandate of legislators provides legitimacy for the actions they take to realize substantial change. Secondly, the reason for the creation of the new law should be disclosed, in particular in relation to its compatibility and continuity with existing legal and cultural principles. As we all know that law can be a powerful force for change when it comes from a principle deeply rooted in the culture of the society. The law must appear compatible with the most commonly accepted cultural assumptions and developmental patterns of law. Third, explain the nature and significance of the new behavioral patterns required by law by looking at the groups, communities, or communities in which these patterns are present. Thus the newly established law is practical in its purpose. Fourth, using time elements consciously in legislative action. The shorter the transition time, the easier it will be to adapt the changes required by law. Reduced delays will minimize the likelihood of a growing organized and disorganized resistance to change. But there is also an assumption that legislation will work better if given the time to plan preparations in order to welcome change. Fifth, that the legal organization must be committed to the conduct required by law. It is important to question what kind of pressure tends to emerge in legal organizing institutions in an effort to support effective legal enforcement. Sixth, the need for positive sanctions in the formulation of the law. Legal sanctions are usually regarded as punishment in various forms. Positive incentives for those who obey the law are equally important to encourage social change. The combination of rewards and punishments should have a balanced proportion. Lastly, it provides effective protection for the rights of people who are disadvantaged by violation of the law. They should be given an incentive to use the legislation. Judging from the historical process of law development in relation to the existence and role of this legal awareness of society in the positive legal body, there is an ebb and flow process in a very long time span. The law of primitive societies, is clearly a very influential law, even as a total incarnation of the laws of society. Then, as the scholastic beliefs develop. The law dates from the (middle ages) and developed the school of modern natural law (the eighteenth and nineteenth centuries), cultivating the human ratio, the existence and the role of consciousness, so little in this respect, legal consciousness is of no importance to the law. The most important is the decree of god as contained in the holy books (scholastic school) or the result of human devotion by adjusting the ratio. (School of modern natural law) further, when the development of sociological ideology in the late nineteenth and early twentieth century that entered also into the field of law. The problem of public legal awareness is beginning to play a role in the formation, implementation and analysis of law. Thus, the law in advanced societies applies the so-called co-variant theory. This theory teaches that there is a match between law and forms of legal behavior. Besides it also applies doktrin volksgeist (soul of the nation) and rechtsbemu stzijn (legal awareness) as taught by Eugen Ehrlich. For example, these doctrines teach that

the law must be in accordance with the soul of the nation or the legal consciousness of society. Legal awareness is seen as a mediator between law and forms of human behavior in society. Law is a sure, positive, and steering handbook for the goals of a government program to be achieved. All aspects of life and socialness must be regulated and must be subject to the principles of law, so as to create a society that is orderly, orderly and cultured discipline. Law is seen as a tool of social order but is also seen as a means of renewing and transforming society towards a better way of life (as a tool of social engineering). As a tool to change the society put forward by Roscoe Pound "as a tool of social engineering". The change of society in question occurs when a person or group of people get the trust of the community as the leader of the community institutions. The pioneer of change leads society to change the social system and in doing so it is directly related to the pressures to make changes, and may also cause changes to other institutions. The formation of the law is very influential for the continuity of a social system of society. The law is bound to every individual. With the law bound, all forms of community activity, whether positive or negative, will be controlled by the law. Community action will continue to change, if the community is doing a negative action that is against the law that has been formed. Violation of the law, will result in the public gets some strict sanctions, so that little by little discipline will be formed the compliance community. Conclusion Social change leads to legal change. In this case, the law is reactive and follows social change. Legal change is one of many responses to social change. Often the legal response to social change, which is certain through a time lag, will lead to new social change. Law plays an important role in encouraging social change in various ways. Laws can establish social institutions that will have a direct impact on the level or character of social change, the law often provides the institutional framework for particular institutions specifically designed to accelerate the effect of change, and the law establishes the obligations to build situations that can drive change. It takes certain conditions for law to influence behavior (social change) effectively. V. Concluding Remarks I can describe the Sociology of Law Wa bill specifically addressing Social Change, which is the subject of this paper, of course there are still many shortcomings and weaknesses, due to limited knowledge and lack of references or references related to the title of this paper. The author hopes a lot of good readers willing to give criticism and any suggestions to the author for the sake of perfect this paper and and writing papers on the next occasion. Hopefully this paper is useful for writers in particular also the readers who are dear in general.

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