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Research Article

Status of Higher Legal Education and Student Requirements in Realizing a Justice Law

Sepriandison Saragih*, Hotmaida Simanjuntak

Citizenship Education Study Program, Universitas HKBP Nommensen Pematangsiantar, Medan, Indonesia

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*Corresponding author:

E-mail:

sepriandisonsaragih@gmail.com

ABSTRACT

This writing aims to determine the capacity of law higher education and law students in creating law enforcers who have integrity, professionalism, and are able to realize legal justice. The method used is descriptive qualitative method through a phenomenological approach, we examine data using critical data coding, in-depth interpretation and drawing conclusions which are answers to this research question by adhering to the principles of high validity and reliability. Next, we describe the data in the findings section by adding criticism and discussion to understand whether this data is relevant to answering the problem. For the reporting stage, we choose qualitative data reporting depending on data or literature review, which we limit to information and data released between 2010 and 2021 to find the latest information and data. Law enforcement in Indonesia that does not synergize with one another will hinder realization of justice. Therefore the existence of law higher education and law students as the forerunner of law enforcement must be questioned. The results of this study are that law enforcement in Indonesia still shows ineffectiveness in its operations. So the authors suggest that higher education in law must be oriented towards efforts to provide stimulus to students so that they are able to have critical, analytical, innovative and progressive thinking so that the essence of law enforcement, namely justice, can be achieved.

Keywords: Education Tall Law, Justice, Student

Introduction

Leave from Chapter 1 paragraph (3) Constitution Base Country Republic Indonesia Year 1945, it is very well known that the State of Indonesia is a state of law. According to Kaelan, confession And protection rights basic, Justice Which free as well as clean from influence existence of legal certainty are the characteristics

of a rule of law state (Jason, 2020). So goal law will achieved if law made as guidelines in every problem inhabitant country And government. Consequence logically is capacity whole enforcer law must able to work optimally to achieve the essence of law enforcement itself, namely justice (Capulong et al., 2021).

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Dignity Country Indonesia as country law located to ability For enforce legal justice in social life. On the other hand, the success of a country in effort increase his dignity in field law rated from enforcement law (law enforcement) is good, fair and responsible. Instead, a country will seen very clear Not yet capable give protection law to inhabitant his country when apparatus enforcer the law No operate law as should (Morison & Harkens, 2019). So from Therefore, the legal system must work like a series of social organs that must work together complement and have high awareness in applicable laws, in particular in terms of This needed professionalism para enforcer law (Capers, 2021). Talking about professional law enforcement, of course, cannot be separated from existence education tall law Which very role important in give birth to student- student Which later will fulfil capacity enforcer law like Which expected (Cobbe, 2019). Education tall law Which give knowledge law in a manner holistic And integral making it one of the determining factors for success in creating law enforcement professional (Salmi & D'Addio, 2021). See condition the, No something error if appear various question related existence And role education tall law if see condition law Indonesia moment This Which Still so sad (Paton et al., 2020).

Mature This, success education tall law in print enforcer law Which professionalism,

measured by the level of law violations committed by law enforcers Alone (González, 2019). The more tall violation law Which done by enforcer law so the success of law higher education in producing professional law enforcers rated lower (Jones & Nichols, 2020). Ironically, in its development, there are many law enforcers those who violate the law and/or have problems with the law, such as bribery cases conducted by Constitutional Justice Akil Mochtar, senior advocate for OC Kaligis, Toton, Dewi Suryana Judge, until latest This case prosecutor Pinangki gone Malasati And Still a lot too Which other (Wheatle & Commodore, 2019). Corruption Eradication Commission in Article 11 paragraph (1) of Law Number 19 Year 2019 about KPK, mentioned that institution anti-corruption authorities do investigation, investigation and prosecution of criminal acts of corruption involving law enforcement officials, state administrators and other people who have anything to do with follow Criminal Corruption Which done by apparatus enforcer law or organizer country (Ernazarov, 2020). 3 Like in alert in statistics prosecution follow criminal corruption by Commission Corruption Eradication Commission (KPK), periodically reported and updated recapitulation including as following:

Table 1. Recapitulation prosecution follow Criminal Corruption by KPK in Kurun Time Year 2015 sd 2021

| prosecution | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|--------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Investigation | 87 | 96 | 123 | 164 | 142 | 111 | 41 |
| Investigation | 57 | 99 | 121 | 199 | 145 | 91 | 22 |
| Prosecution | 62 | 76 | 103 | 151 | 153 | 75 | 34 |
| Inkracht | 38 | 71 | 84 | 104 | 142 | 92 | 16 |
| Execution | 38 | 81 | 83 | 113 | 136 | 108 | 18 |
| Total | 282 | 423 | 514 | 736 | 718 | 477 | 131 |

Based on the table, in fact it is known that the prosecution of corruption cases Still Keep going target perpetrator (suspect) from position medium lower (middle lower) while actors with middle upper positions such as former ministers, members of DPR/political parties, national businessmen to law enforcement officials as has been mentioned in on often not

investigated with complete (Halliday, 2019; Chu, 2019). Based on these facts, it is natural that the question arises: what is the role legal higher education in realizing a just law ?. Based on the description background behind on top, then in writing it exists a number of problem Which discussed, between other: How circumstances Enforcement Law in Indonesia? How

Role Legal Higher Education in Creating Professional Law Enforcers? How Effort Education Tall Law And Student in Realize Law Which fair?

Methods

Next, we describe the methodology and steps used to carry out the research, which aims to obtain the views and perspectives of legal experts on the existence of an equitable law and the position of higher education on the government's ability to implement the law. We will present our views in the form of interpretation of what can be used as new learning for academics and other readers (Young & Billings, 2020) looking for data and other information related to the theme of this research and looking for encouragement and motivation on how this situation can be resolved by get lots of input (Alexander et al., 2021). Our data was searched through online search engines in various publications in scientific journals, government circulars, newspapers and other website services that actively discuss the position of higher education and its urgency for students of justice and law. Through a phenomenological approach, we examine data using critical data coding, in-depth interpretation and drawing conclusions which are answers to this research question by adhering to the principles of high validity and reliability (Ristroph, 2020).

Next, we describe the data in the findings section by adding criticism and discussion to understand whether this data is relevant to answering the problem. For the reporting phase, we chose qualitative data reporting depending on the data or literature review, which we limited to information and data released between 2010 and 2021 to find the latest information and data. In our search, we use Google Search using keywords related to political content, implementation, and learning from the implementation or enforcement of laws in Indonesia which still show ineffectiveness in their operations.

Results and Discussion

Circumstances Enforcement Law Indonesia

Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that country Indonesia is country law. Draft country

law must idealized with make law as commander from whole dynamics state, political even economy. The symbol of the law is law enforcement, so law enforcement must capable help country law For materialize ambition that law Alone. Law Which actually created and present For kind, partiality And naturally justice for interest public wide precisely in practically enforcement law Which There is more side to interest Which power compared to interest people. Enforcement law Which weak will seen with clear if law Which There is reduced to problem procedural only without see aspect other (Noviani, 2021). Legal authority lies in the ability of law enforcers to overcome any existing legal issues. Theoretically the effectiveness of law enforcement will be fulfilled if the 5 (five) legal pillars can run well. Legal instruments, enforcement officers law, equipment, public And bureaucracy is fifth pillar law Which meant. Weak enforcement law in Indonesia make apparatus enforcer law as highlight, and on the other hand the public's trust in law enforcement is very apprehensive, Wrong One indication is many action people small Which do deed play judge Alone (eigenrichting).

Laws in Indonesia and their enforcement cannot be said to be running according to common legal direction and goals. There are always law enforcement problems has a tendency to imbalance the dynamic interaction between *das sollen* (hope) with *das sein* (Reality). 9 Evidence from law enforcement in Indonesia is still weak can be seen from the resolution of various unresolved cases, especially those such as corruption practices are increasing, but there are very few main actors added to the law and/or not sentenced according to the applicable law. Reality law enforcement like that that hurts the hearts of the common people and will bring about attitude a priori public until distrust public to enforcer law That alone. Departing from these conditions, it is a must for us to reflect return on objective end law That Alone that is for create justice. Law enforcement in Indonesia where there are still frequent irregularities in the law, Sidharta conveyed this with what is known as the legal abyss, where the legal abyss becomes very open when the prediction of events incident concrete Which will happen in Then day No capable formulated in a

manner appropriate and complete by legislators. 10 The consequence is if it is not appropriately meet the needs of concrete events, then the meaning of Normative provisions can be expanded or narrowed by it. 11 Legal academics call it as invention law Which precisely fill in gap canyon the law That Alone (Shih et al., 2019).

According to Moch Koesnoe, in in Opening And Constitution Base Country Republic of Indonesia in 1945, contains various basic values of the legal system which are rechtsidee law , mark base the briefly include: 13 (1) law That character protect; (2) the law embodies justice; (3) the law is populist; (4) law is a statement of decency and high morality either in the form of regulations or in implementation as Which taught in teachings religion And people Indonesia. It is these values that must be reflected in the reality of law enforcement in Indonesia Indonesia, Where creation justice in public become essence main from objective law Country Indonesia.

Role Education Tall Law in Create Enforcer Law Which Professional

Problem professionalism enforcer law very related tight with governance Human Resources (HR), especially in the management of human resources in higher education law that is student and/or Bachelor Law. Objective education tall law very need For set remember education law in Indonesia Keep going develop, although in side other until moment This Not yet There is related agreement formula and goals education law from. Every institution higher education law, Good Faculty Law, Faculty Sharia until School Tall Law. 14 Matter the even must remember that principle ideal from education tall law is education tall law must can implement aspect axiology from education law in a manner appropriate. 15 So capacity (capacity building) students must be used as a concept and priority for law higher education policy as one of the steps to create law enforcers who have a sense of professionalism tall. Education tall law must capable become pioneer in realize understand Which noble and noble. Legal higher education when able to carry out the principle of deep integrity every line life on basically has successful implementation of

the role strategic in produce students who have understanding and principles in the form of various values morality which greatly affects the level of professionalism as a law enforcer later (De Trinidad Young & Wallace, 2019).

In side other, student law as agent change (agent of change) needed For become guard front enforcement law Which the circumstances the more day the more sad. Students are considered as educated, intellectual and possessing entities personality glorious, own role Which The same strategic like education tall law For truly fulfil hope public For form something institution law or enforcer law Which capable operate system And system manage law Which professional. Dichotomy between education tall academic And education skill profession to be another matter outside internalisation legal value in public (Farley et al., 2019). In one side, education academic law directed For form student so that own knowledge And Skills academically qualified, but on the other hand professional skills education prioritize direction education For carry out practice as profession law, like lawyer, prosecutor, judge, Notary Public And other etc (Donohue et al., 2019).

Climate education tall law like in on Actually No Again in accordance with development science law Which Now. as be delivered by Barda Nawawi Arief that, existence education tall law No only For do process learning For produce Bachelor Law Which own ability academic just, However Also For carry out task science Which owned as well as national tasks within the framework development and renewal of national law. Meaning from delivery the is education tall law as institution formal as well as Law students as future law enforcers will not only master the law positive just, However also have the intelligence to develop knowledge, thinking, knowledge And understanding to law Which as real happen in public later (Viano et al., 2021).

Legal developments must be able to be followed by understanding and thinking about law That Alone. Realized or No, that profession law really diverse so that No only concentrated in the realm of conflict resolution such as Advocates, Prosecutors, Police, Judges, but also in the realm of conflict prevention such as legal

drafters, legal officers, consultant field law, Notary Public And other etc. Whole field work field law the Of course influenced by education tall law as gate front create student law Which own capacity qualified For become enforcer law professional in accordance with field profession each. Condition it's in on, make background behind birth Regulation President Number 8 Year 2012 about Framework Qualification National Indonesia (KKNI) Which try balancing academic with non-academic abilities to support competence student work law later. Implementation IQF the in in fact Can This can be seen from the teaching of Legislation and Design Engineering courses Regulation Legislation (Legal drafting) as well as settlement dispute in outside court, which so far the focus of learning has only been on speaking skills in court (McIntosh, 2019).

With the existence of the IQF, it reflects that legal higher education begins realize that in practice later the professionalism of a law enforcer is not necessarily seen only from certificate Which owned, However Also from understanding theoretical field knowledge, ability apply skill in settlement problem, decision-making and responsibility in the work entrusted to him. So that very needed policy education tall law offset with understanding student law For the need to invest integrated character, moral Good And professional.

Effort Education Tall Law and Student in Realize Law Which fair

Justice has always been used as a matter of debate in the world of law, because on principle justice is objective from birth law itself. The amount case Which No resolved And precisely brought to realm politics make Justice or justice No found in actual circumstances because legal truth and justice have been met engineered in a very systematic way . 17 Here the role of enforcers is needed law Which should capable become commander in enforce justice, No make law as tool power. On the other hand, indicators to create a just law must be supported with the performance of professional law enforcement with its position as a support hope public For create justice, so that performance professional from para Law enforcers are not something that can be bargained for and traded for

the sake of value realizing a just and responsible legal order as expected public And country on specifically. The birth of law enforcers who are able to realize legal justice, has never been able to regardless of the improvement and reform of the legal higher education sector in Indonesia which during This there is out of sync between various policy become demands Which symptom nowadays. Legal education so far tends to pursue the profession and this have side effect Where fruit work profession is attitude For treat legal knowledge as a sequence of procedures and mechanisms. 18 The meaning of the mechanism is that the various elements in the law must be carried out in accordance with the provisions, in short said the science of law became more positivistic. The legal tradition has a position of certainty become the main key in the legal system by focusing on written rules rather than unwritten rules and/or customary laws. If this continues then, it is normal for the world of law to be filled with interests political practice by part person Which become party in formulate law (Osler, 2020).

If understood in depth, it can be seen that there are different goals legal education over time although there is no significant difference from graduates every education tall law. Graduate of law from year to year impressed legalistic And No has significant differences from graduates in Colonial rule, even inclined No fulfil various objective education law post Indonesia independent. 19 If developed further, it will be known that the legal system adopted by something country determine direction policy Which applied by education tall law in learning process. Continental European legal tradition (civil law system) greatly influences the legal system Indonesia with make it characterized formalistic, legalistic And positivistic. Tradition thus directing legal education to emphasize learning that is characteristic doctrinal. Material Which theoretical And method delivery learning Which conventional and monologue in nature, making the lecturer as the main resource students are passive and only as listeners. The result is a critical attitude and analytical student focused to certainty law Which incarnated through regulation legislation so that it is not free in thinking about and responding

to various values law that must be used as a spear of struggle as well as justice, expediency and love Darling (Squire et al., 2019).

It is different if we compare the facts above with traditional countries common law law. This is emphasized by common law adhering countries in the process learning education tall law is in matter practical (practical use). Country adherents common law make habit as guidelines For base the law or in other words, every legal act has existed in people's lives in the form of habit, stay How enforcer law apply law That Alone. To all deed Which Not yet There is arrangement alone, so presence judge in his discretion determine and/or form law with full not quite enough answer very take precedence common law countries is not only oriented towards creation and/or law renewal, but also oriented to the implementation of the law. Nuance tradition Which carried by country adherents common law, make direction learning law more characteristic practical, so that student education tall can stimulated to bring up a critical analytical attitude in each case study is being given. Students will not only be bound by the value of legal certainty, however Also direct to mark moral form not quite enough answer to justice And truth. When talk about condition in field, is known that stereotypes public towards every student and/or graduate of legal higher education is very legalistic, expert memorize And obey to doctrine. Pattern learning until stereotypes society against education law only will form enforcer law Which skilled, understand until memorize regulation Which There is, However minimal conscience. When values law No can implemented as a whole, then the purpose of law in the form of justice will be harmed (Rosenbaum, 2020). This matter in line with Satjipto Rahardjo's opinion, that legal thinking for humans must returned become philosophy base judge. 20 Leave from philosophy This, by him point orientation law is determined by humans, so that makes progressive law ideology "law Which pro-justice as well as law which pro-people".

In the future, higher education in law must be able to provide legal teaching which is not limited to focusing on academic skills, but also has the ability " problem solving ", because

basically law students will be faced with circumstances society in in fact Later. So that student law as enforcer law society can later rely on to have ideals, morals, good behavior prioritize justice, honesty, wisdom And responsibility (Linder & Svedberg, 2019).

Because of the above, the existence of legal higher education as a bodyguard law enforcement must be able to realize a comprehensive system of education by priority of reforming national law, so as to be able to create law enforcers who professional with ability reasoning critical, idealist as well as capable understand various mark Which There is in, so that later can realize law Which fair (Malin et al., 2020).

Conclusion

The process of enforcing the law of the State of Indonesia is very far from the goals of all of our laws, so that objective law that is justice Still can not achieved. No surprising if then a legal sentence appears blunt to the top but a sharp law to the bottom, because on the fact is that there are still many legal cases that have not been resolved properly should And become problematic in enforcement law Indonesia. Law can walk effectively if all parties, especially law enforcers, are able to uphold it values law Which is at in public And naturally prioritize intellect And integrity in face various problem law in life public.

Formed student law as enforcer law Which integrity, professional and of course justice in accordance with the expectations of society is determined by existence education tall law That Alone. Education tall law must capable make student law as enforcer law Which later No only use glasses horse, in meaning ignore justice And only prioritize mere procedure. Paradigm change and legal education system as a whole, transparent and holistic approach is needed, so as to be able to improve the legal crisis that has been created.

The best solution to answer this problem is higher education in law must be able to create educational policy formulas that do not only strengthen aspects academic student, However Also strengthening aspect in mark Honest, fair And responsibility to ethical aspects (attitude) must be owned by every law enforcer or in other words, it must be able to make the world

of legal higher education have the sharpness of a balanced curriculum between the academic and practical environment, which later in a manner together can create law Which fair in a manner substantial in whole region Indonesia.

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