

# **Constitutional Court In Industrial Revolution 4.0**

**M. Guntur Hamzah and Wilma Silalahi.**

The Constitutional Court of the Republic of Indonesia

E-mail: guntur@mkri.id;

## **Abstract**

Technological development has an important role and cannot be separated from the development of law throughout the world which resulted in the Industrial Revolution in countries. The Industrial Revolution developed according to its era, which began with the Industrial Revolution 1.0 to the Industrial Revolution 4.0. The Indonesian people also do not want to be left behind with the countries in the world in facing the Industrial Revolution 4.0 era, so the government strongly supports the era of the Industrial Revolution 4.0. But an important problem faced by the Indonesian people is the problem of human resources or the challenge of talent development for the Industrial Revolution 4.0, while the field needs for human resources in the fields of data scientist, coding, and software development continue to increase. The Industrial Revolutionary Era was marked by everything digitizing and automating. Therefore, Indonesian people must also be prepared to face this era and most importantly want to change their mindset in dealing with change, not shut down and willing to accept input or changes from outside, including the judiciary, The Supreme Court and the Constitutional Court have implemented a judicial system based on digital technology known as the Electronic Court (e-Court), namely justice services that implement the use of internet-based computer technology in providing justice services to the justice seekers community. For this reason, it is necessary to study how the Constitutional Court as a high state institution played a role in the 4.0 Industrial Revolution. The Constitutional Court and its human resources are ready to face and undergo the Industrial Revolution 4.0 by continuing to improve knowledge and skills and which are the core business of the Constitutional Court conducted with the ICT system based on Pancasila and the 1945 Constitution.

**Keywords:** Constitutional Court, Industrial Revolution, Information and Communication Technology (ICT).

## **A. Introduction**

The development of technology today has an important role and cannot be separated from the development of law throughout the world, which also influences aspects of the life of world civilization, both in the politics, economy, social, culture, law, and other fields which cannot be regardless of the life of information technology (IT). The development and growth of IT follows the developmental needs of human civilization.

The development of world civilization marked by the Industrial Revolution, began in the 18th century, when agricultural societies became more advanced and urbanized. Cross-continental trains, steam engines, electricity and other inventions permanently changed society. These changes not only in the IT field, but also helped change the behavior, life, and way of thinking (mindset) of humans. Thus, technological developments have resulted in the Industrial Revolution in countries, which in general all countries try to follow the Industrial Revolution because they do not want to be left behind world civilization. Therefore, the meaning of the Industrial Revolution is a big change from the way humans produce goods or services. Changes that occur generally in the economic, political, social, and cultural, and global.<sup>1</sup>

Thus, the Industrial Revolution can be defined as a condition where there is a change in the life of mankind on aspects of life that are influenced by developments and discoveries that bring increasingly modern human life. This Industrial Revolution also brought negative impacts and positive impacts. One of the positive impacts obtained with the Industrial Revolution is, among others, the energy, time, and cost required to run or produce a product that was previously large enough can be reduced even if there is no cost at all, so it can be transferred to other things.

So the authors are very interested in conducting research on how the readiness of the Constitutional Court in dealing with the Industrial Revolution 4.0. Are the existing human resources within the Registrar's Office and the Secretariat General of the Constitutional Court ready to face the Industrial Revolution 4.0.

In this paper, we will examine how the Constitutional Court prepares itself to face the Industrial Revolution 4.0, both in terms of mindset, human resources, facilities and infrastructure, as well as all supporting components within the Registrar's Office and the Secretariat General of the Constitutional Court. Therefore this research is a normative legal research carried out by using library research to obtain secondary data with material in the form of books, articles, research results, and expert opinions relating to the readiness of the Constitutional Court to face the Industrial Revolution 4.0.

Whereas the method of data collection was carried out by studying documents and literature relating to the research theme to obtain data related to the Industrial Revolution 4.0, namely:

- a. Primary ingredients, which includes applicable laws and regulations, jurisprudence related to the subject matter of research;
- b. Secondary material, consists of pre-existing research results related to research and library issues, including materials and results of seminars and conferences;
- c. Tertiary material, which consists of legal dictionaries, encyclopedias, and other supporting dictionaries.

According to Satjipto Rahardjo, this research was to see the law as an abstract regulation, that is, what we could discuss as a separate subject, regardless of its relation to matters outside the regulation. Its concentration will lead to a normative method, and in accordance with the analysis discussion, so this method is called normative analysis.<sup>2</sup>

## **B. Discussion**

### **Legal Development**

Talking about the era of the Industrial Revolution, can not be separated from the development of law in the system of government in countries. The development of law began with the Theory of Natural Law, which was before 1784, which considers that law as a universal value that always lives in every human, community, and state. This is because the law must necessarily obey the moral boundaries which become the guideline for the law itself.<sup>3</sup>

According to B. Arief Sidharta,<sup>4</sup> natural law appears as a law of human reason and channeling the desire to investigate the will of the person who presents himself (acting) as a moral or legal legislator. While Mahfud MD. argues that natural law thinkers believe that justice is an essential value of the law, in fact both are often identified as a single and unified value. The law has many purposes in itself, because the law does not only function as a tool to uphold justice (as a tool), but also functions as a “mirror” of a sense of justice and people’s sovereignty in a country.<sup>5</sup>

While Plato further argues that, justice is the main goal of the flow of natural law. That moral power is an element of the nature of law, because without morality, the law will lose its supremacy and independence. Justice or injustice according to law will be measured by the value of morality that refers to human

dignity. Moral is nothing but a factor that allows law to have a universal nature and because law is understood as connecting law with the ideal of socio-political life, shared prosperity, and social justice.<sup>6</sup>

Aristotles also argued that justice must be distributed by the state to every citizen and good law is a law that keeps justice to all people without exception and non-discrimination. Explicitly, Aristotles stated that “justice is a political policy whose rules form the basis of state regulations and these rules are a measure of what is entitled.”<sup>7</sup>

St. Augustinus also stressed the importance of justice in every breath of state law. According to him, “unjust laws are not at all”. Augustinus distinguishes between divine law (*divinum jus*) and human law (*humana jus*). What is called natural law is divine law, while *humana jus* is custom (customs).<sup>8</sup> Meanwhile, according to Thomas Aquinas states that, “all human-made law in its reasoning has a position as derived from natural law, if an aspect of law is not passed down by natural law then the law is flawed as law, the law cannot provide justice and it is not law”. While Thomas Aquinas describes natural law as the top of an eternal hierarchy of law, interpreted as a rational arrangement for everything where God is the ruler of the universe.<sup>9</sup>

Then the legal development continued with the Positivism Theory which was developed by August Comte (1798 - 1857). This Positivism Theory argues that what is the starting point of this positivist thinking is that what is known is factual and positive<sup>10</sup>, so the metaphysics was rejected.<sup>11</sup>

According to Adam Smith that the state does not need to intervene in social and economic interaction.<sup>12</sup> This theory developed in the Industrial Revolution era 1.0. After that the development of law continued with the theory of Law as a tool of social engineering by Roscoe Pound (1870). According to Roscoe Pound, “legal reality” is more important than the position and function of law in society. The main function of law is to protect the interests that exist in society. According to Roscoe Pound there are 3 (three) interests which must be protected by law, namely public interest; individual interest; and interest of personality. So the main task of law is social engineering. Law is not only formed based on the interests of the community but must also be enforced in such a way by jurists as a social control effort in the broad sense whose implementation is oriented to the desired changes.<sup>13</sup> This theory developed in the Industrial Revolution 2.0 era.<sup>14</sup>

Then was born the theory of Legal Realism by Oliver Wendell Holmes (1900). This theory is famous for its credo “The life of the law has not been logic: it has been experience”, then the law is not seen from the perspective of the law itself, but rather is seen and valued from the social goals to be achieved, and the

consequences arising from the operation of the law.<sup>15</sup> According to Kranenburg, the theory of Legal Realism known as “Welfare State” that the state plays a key role in maintaining and promoting the economic and social welfare of citizens. This theory developed in the era of the Industrial Revolution 3.0. 16 And finally the development of law gave birth to the theory of New Legal Realism known as Text Here (2000 - Now). This theory was developed by L.A. Geelhoed, known as Empowering State, is an effort to increase and empower systematic human resources, namely Good Governance. According to Galang Asmara, that state interference in the lives of the Indonesian people must be limited, because in addition to the Indonesian people are not stupid and poor, also based on past experience balanced with good control over the authorities.<sup>17</sup> This theory developed in the 4.0 Industrial Revolution era.<sup>18</sup>

## **History of the Development of the Industrial Revolution**

### **Industrial Revolution 1.0**

Before the Industrial Revolution 1.0, humans carried out all their activities by relying on muscle power, water power, and wind power. This is a very big obstacle, because of the limitations of these sources, which results in inefficient energy and time. With limited muscle power, where humans can not work 24 hours without a break and depends on the physical condition of humans who need rest resulting in inefficient use of muscle energy. In addition to muscle power, prior to the 1.0 Industrial Revolution, relying on hydropower and wind power. But this condition also has constraints, that not all activities can rely on hydropower and wind power, depending on conditions and circumstances. To do very strenuous activities, Humans use watermills and windmills, but the problem is that this power can only be used near waterfalls and in windy areas, so it becomes a problem when using this in all our activities due to location limitations.

During the Industrial Revolution 1.0 which occurred at the end of the 18th century, humans have known steam engine power (steam power) and electric power. This was marked by the discovery of mechanical looms in 1784, which were introduced to mechanical production facilities using hydropower and steam.<sup>19</sup> With the invention of steam engines, making mass production of goods possible.<sup>20</sup> But there are obstacles in the use of this power, namely in the transportation process. To facilitate the production process in the factory usually requires transportation as a means of transporting heavy goods, so a car/vehicle, is very necessary.<sup>21</sup>

### **Industrial Revolution 2.0**

The Industrial Revolution 2.0 occurred in the 19-20 century, which was marked by mass production and electrical energy.<sup>22</sup> Because the development of the production process in the Industrial Revolution 1.0 was sufficiently developed, muscle power was not used and then turned to steam engine power or electricity. But the obstacle found in the production process is in the process of transportation, namely the distance and extent of the factory in the production process, so that transportation equipment is needed for the transportation of heavy goods such as cars. So finally in 1913, the Industrial Revolution 2.0 era began by creating a “Production Line” or Assembly Line that used a “;Conveyor Belt” in 1913. The production process has changed completely. There is no longer a craftsman who finishes a car from beginning to end, the craftsmen are organized to become specialists, only take care of one part, such as the installation of tires.<sup>23</sup> In the 2.0 Industrial Revolution, the cost of production used also becomes cheap.<sup>24</sup>

### **Industrial Revolution 3.0**

This era occurred around the 1970s.<sup>25</sup> In the 3.0 Industrial Revolution, people were replaced by the invention of a moving machine, which automatically thinks (automation), computers, and robots. In this era the world moves into the era of digitization. Some activities that previously could only be done by humans, such as counting and storing important things like documents, can already be done by computers. In this era, technological advances also facilitate the work done by humans, so that the greatest potential of humans such as thinking, designing, leading, and creating can be optimized. After the second world war, the development of computers was also getting faster, which was once a computer as big as a room, getting smaller and smaller with increasingly extraordinary functions<sup>26</sup>

### **Industrial Revolution 4.0**

This term was first coined by a group of expert representatives from various fields from Germany in 2011 at the Hannover Trade Fair. During the meeting it was explained that the industry at this time had entered a new innovation, where the production process began to change rapidly. The German government took this idea seriously and soon made this idea an official idea and formed a special group to discuss the application of industry 4.0. And in 2015, Angella Merkel introduced the idea of the Industrial Revolution 4.0 at the World Economic Forum (WEF).

The United States also does not want to be left behind by driving the Smart Manufacturing Leadership Coalition (SMLC), a non-profit organization consisting of producers, suppliers, technology companies, government agencies,

universities, and laboratories whose aim is to advance the way of thinking behind the Industrial Revolution 4.0.<sup>27</sup>

Industrial Revolution 4.0 applies the concept of automation carried out by machines without requiring human labor in its application, which is a vital thing needed by industry players for the efficiency of time, labor, and cost. The application of the Industrial Revolution 4.0 is also known as the Smart Factory. The process of taking or exchanging data can be done on time when needed through the internet network, so that the production and bookkeeping process that runs in the factory can be authorized by interested parties anytime and anywhere while connected to the internet. It is said to be the era of the Industrial Revolution 4.0 because there are many new innovations in industry 4.0, including the Internet of Things (IoT), Big Data, 3D printing, Artificial Intelligence (AI), vehicles without drivers, genetic engineering, robotization (cloud computing and cognitive computing) smart machine. The biggest thing in the Industrial Revolution 4.0 is the IoT. IoT has the ability to connect and facilitate the communication process between machines, devices, sensors, and people through the internet network. Enough with an internet connection we can do our daily activities without going to their destination.<sup>28</sup>

### **The Birth of the Industrial Revolution Era 4.0 in Indonesia**

The Indonesian government does not want to be left behind with countries in the world in the face of the Industrial Revolution 4.0 era, so the government strongly supports this Industrial Revolution 4.0 era. But an important problem faced by the Indonesian people is the issue of human resources as conveyed by industry observer Mari Elka Pangestu. According to Pangestu, Indonesia is currently facing the challenge of talent development for industry 4.0, while the field needs for human resources in the fields of data scientist, coding, and software development continue to increase.<sup>29</sup>

The Industrial Revolutionary era was marked by everything digitizing and automating. For this reason, Indonesian people must also be prepared to face this era and most importantly, want to change their mindset in facing changes, do not close themselves and are willing to accept input or change from outside. The government in responding to changes in the Industrial Revolution 4.0 era prepared it by designing a road map titled Making Indonesia 4.0, as a strategy for Indonesia to enter the digital age. With Making Indonesia 4.0, Indonesia sets a clear direction for the future of the national industry. So the country is determined to focus on developing 5 (five) manufacturing sectors that will become a pilot, and carry out 10 (ten) national initiatives to strengthen Indonesia's industrial structure,

including preparing reliable labor and special skills for mastering the latest technology.<sup>30</sup>

### **Legal Development in the Industrial Revolution Era 4.0**

According to Guntur M. Hamzah<sup>31</sup>, the 4.0 Industrial Revolution was an era of disruption, namely the era in which the way of working moved or changed from conventional ways of working to modern, with a digital approach. Thus, anyone who is not friendly and opposes technology will be crushed by the times. For that, we must change the mindset and leave the comfort zone.

Assumption which says that the law is always left behind in following the development of society, still according to Guntur Hamzah, that this is a disruptive view that must be abandoned, because what is left is not the law but the legal bearer. Thus, the law should direct the community, so the law as a leader not as a follower.

Thus, the law in the Industrial Revolution 4.0 era must be:

- 1) the law must adopt the development of Information and Communication Technology (ICT);
- 2) law must actively encourage substantive rationality in the process and achievement of goals (actively support substantive rationality in law development);
- 3) the law is able to detect the regulatory needs of society (detect society needs of regulation); and
- 4) legal development must consider the "spirit" of law (the law exists for the community) (consider the "soul" of the law itself in its development).<sup>32</sup>

The development of ICT in the era of the Industrial Revolution 4.0 must have principles: (1) Integrity, namely integrity as human capital to prevent loss of society; (2) Clean, clean from corrupt efforts and benefit yourself; and (3) Trustworthy, which is the most important element to face the formation and law enforcement to face the era of disruption.<sup>33</sup>

### **Application of the Industrial Revolution 4.0 in the Supreme Court**

Today the use of digital technology in everyday life is inevitable no matter what profession is concerned. The era of digital technology has penetrated all sectors, both the public sector and the private sector, both private and government, including the legislative, executive, and judiciary. The government in running its government system in this era has implemented an electronic government (e-government) system.



Judicial institutions, in this case the Supreme Court and the Constitutional Court have implemented a digital technology-based justice system known as the Electronic Court (e-Court), namely justice services that implement the use of internet-based computer technology in providing justice services to the justice seekers community.

According to Supandi, the purpose of the e-Court was to expedite the administration process and justice services for justice seekers to create the principle of fast and low cost. Still according to Supandi that some of the benefits obtained by implementing e-Court include, online case registration in the Court (e-Filing), payment of court fee system (e-Payment), use of time to be more effective and efficient, electronic summons of parties (e-Summons), minimizing illegal fees and corruption, and curbing advocate.<sup>34</sup>

Still according to Supandi, e-Court is the future of Indonesian courts as judiciary in other developed countries. The idea of using information technology for judicial tasks is currently growing rapidly, where information technology is utilized in the administration of cases and the implementation of procedural law. According to him, in general the development of IT in various social sectors has contributed significantly to the development of State Administrative Law both in Indonesia and in other countries. So with this development, the Administrative Court as one of the judicial bodies under the Supreme Court, has anticipated by taking steps in order to modernize the judiciary. These steps include selecting enlightened judges in the promotion and transfer process, placing qualified and creative human resources at each Administrative Court in Indonesia, managing modern court administration, and updating the legal information system.<sup>35</sup> In addition to the application of the Industrial Revolution 4.0 in the Supreme Court, we will also examine how the Constitutional Court as a high state institution played a role in the 4.0 Industrial Revolution.

#### **Constitutional Court in Facing the Industrial Revolution 4.0**

The Constitutional Court which was born during the reform of the Third Amendment to the 1945 Constitution has the function as the guardian of the constitution, the final interpreter of the constitution, the guardian of democracy, the protector of human rights, and the protector of the constitutional citizen's rights.

The Constitutional Court which is a constitutional justice institution that has the task of examining, adjudicating and deciding constitutional cases. In addition, the Constitutional Court also has a duty to facilitate community access to reach and obtain justice for their constitutional rights. Thus, as a judicial institution, the Constitutional Court in carrying out its duties, provides services to

the community seeking justice with governance institutions of justice in accordance with the vision<sup>36</sup> and the mission<sup>37</sup> of the Constitutional Court. Judicial institution governance is an integrated whole that is inseparable from the Constitutional Court's process in examining, adjudicating, and deciding cases. In improving effective, efficient, transparent, and accountable justice institution governance, the Constitutional Court always and continuously makes various improvements in carrying out its duties. One of the efforts made by the Constitutional Court is the optimal use of technology, information, and communication. Thus, in accordance with the vision of the Constitutional Court by providing convenience to the public in reaching and getting justice (access to court and access to justice), The Constitutional Court provides various ICT-based applications and services and this is also the role of the Constitutional Court in the face of the Industrial Revolution 4.0, with 8 (eight) applications of MK services based on ICT, namely:<sup>38</sup>

#### 1. Sempel.mkri.id

Case requests can be submitted to the Constitutional Court through electronic media (Electronic Filing), [sempel.mkri.id](http://sempel.mkri.id) is a web-based application for submitting electronic applications for legal testing of cases and disputes over election results of the election of governors, regents, and mayors online and in real time. The features contained in [sempel.mkri.id](http://sempel.mkri.id) are submission or requests for regional head election, submission of parties related to the requests for regional head election, submission of applications for judicial review, and case tracking.

#### 2. Case Retrieval and Case Tracking

Case Retrieval is a data search engine information system that is able to read every document and information possessed by the Constitutional Court, and display the documents or information sought and present it quickly and accurately to the Constitutional Court page. Case Retrieval is a tool for the community and for the internal Constitutional Court to represent every decision and legal consideration that has been made by the Constitutional Court from 2003 to the present. Thus, the public who will submit a case request to the Constitutional Court can first analyze the same case that has been tested in the Constitutional Court including the touchstone, legal position, legal considerations, and the decision of the Constitutional Court that has been issued and read out.

In addition, to provide modern judicial administration services to the public, the Constitutional Court provides a Case Tracking application that is useful for tracking the position of the last case and viewing case documents, from the request to the decision.

### 3. Live Streaming

Trial activities or ongoing Public Lectures can be accessed via live streaming on the website of the Constitutional Court.

### 4. Contact the Constitutional Court

Contact the Constitutional Court is a feature on the website that allows anyone to send a request for a visit to the Constitutional Court with a variety of needs including: visits to public health centers, internships, real work lectures/field work lectures, attending hearings, hearings, requests for cooperation, consultations, studies, socialization, and other needs.

### 5. Electronic-Minution (E-Minution)

E-Minution is a case management information management system from the registration to the final decision. The application is not limited to the physical management and procedural management of records, but also involves managing data in case files to become information that can be used by the Constitutional Court. The application is used by work units involved in the management of case files (Judicial Institutions, Substitute Registrars, Archivists, Summaries, Minutes, and other work units).

### 6. Elektronik-Buku Registrasi Perkara Konstitusi (E-BRPK)

E-BRPK is an application that contains records, including but not limited to case number, name of the Applicant, and/or legal representative, Respondent and/or legal representative, Related Parties and/or legal counsel, principal of the case, time of receipt of the application (time, day, date, month, and year), and completeness of application.

### 7. Annotation of Decision of the Constitutional Court

Annotation of Decision of the Constitutional Court is a record related to the law that has been tested and decided by the Constitutional Court.

### 8. Long-distance Trial Services

For the sake of quick, simple, and free trial of court proceedings, the Constitutional Court can carry out a long-distance hearing based on the request of the Petitioner and/or Respondent or his attorney. This service makes it easier for justice seekers and stakeholders to follow the trial process through video conference (vicon), or do not always have to be physically present in the

Constitutional Court courtroom. The parties can take advantage of vicon in 33 provinces (42 tertiary institutions) in Indonesia.

In addition to the 8 (eight) application services prepared by the Constitutional Court, Data Center's physical topology has changed for the better and safer by adding a number of Data Center security devices and upgrading Data Center security devices. The addition of security devices was carried out by the Constitutional Court in accordance with the results of the recommendations of the State Code Institute in February 2017 during the assessment and penetration test of the Constitutional Court Data Center. This is done based on the vision of the Constitutional Court, namely "Modern and Reliable Judiciary" and the scope of work within the Registrar's Office and the Secretariat General of the Constitutional Court supported by a system based on ICT.

The Constitutional Court data center has also been equipped with the ability to detect the movement of everyone associated with the Constitutional Court, both guests of the Constitutional Court and Constitutional Court employees, through Closed Circuit Television (CCTV) technology that has been installed at each point of the Constitutional Court building. CCTV is also installed in the Bekasi Multipurpose Building and the Pusdik Pancasila and the Cisarua Constitution, which are integrated into an internet protocol-based protocol in a single data center of the Constitutional Court.

In facing the Industrial Revolution 4.0 era, in addition to application services, the Constitutional Court also continued to increase various activities within the Registrar's Office and the Secretariat General of the Constitutional Court, among others:

#### 1. Debat Konstitusi

This activity is one of the efforts of the Constitutional Court in providing education about Pancasila and the Constitution to young people. The Youth are considered to be one of the strategic parties in the context of promoting the values of the Pancasila and the Constitution, which in this case one of the target groups is students. Students are also an effective tool to instill the values of Pancasila and the Constitution for the community. Students are agents of community change who are able to build opinions about the needs of the Indonesian people to understand the core values of Pancasila which are an inseparable part of the life of the nation and state. The concept of education is implemented through an active method of debate discussion that builds a new building and argument in order to

solve the nation's problems. Therefore, in the context of increasing students' understanding of various constitutional issues and the dynamics of the present state administration, the Constitutional Court held a Debat Konstitusi Competition between Indonesian Higher Education Institutions throughout Indonesia.<sup>39</sup>

According to Kurniasih Panti Rahayu<sup>40</sup>, that this activity must be applied in the face of legal developments in the Industrial Revolution 4.0 era. The winner in the Debat Konstitusi activity became a role model for all Indonesian people to spearhead the rule of law and the constitution.

## 2. Pekan Konstitusi

Pekan Konstitusi is intended as a series of educational activities for the academic community and the general public which lasts for 3 (three) days to improve the knowledge and understanding of the constitution, especially the 1945 Constitution. Implementation of this Pekan Konstitusi activity is intended as one of the media to foster an understanding of the constitution at all levels of society, so as to grow constitutional awareness in the life of society and the state.<sup>41</sup>

Implementation of Pekan Konstitusi aims to:

(1) improve public knowledge and understanding of the substance of the 1945 Constitution and the existence of the Constitutional Court of the Republic of Indonesia in the constitutional system of the Republic of Indonesia;

(2) increase the ability of the community to explore and understand the problems of the constitution, explain the text of the constitution (articles of the 1945 Constitution) with the development of the practice of state administration after changes to the 1945 Constitution; and

(3) develop a culture of difference of opinion constructively in understanding the implementation of changes in the 1945 Constitution.<sup>42</sup>

## 3. Moot Court Constitution Competition

As a means to apply the constitution and how the constitution is used as a test stone to see whether a law is contrary to the constitution or not, it is necessary to attempt to introduce constitutional law in a systematic and sustainable manner regarding formal and material aspects. Relevant efforts are being carried out now to achieve the objective of applying the constitution, namely through a competition that hones the scientific and formal expertise of Indonesian students regarding constitutional law. The competition held by the Constitutional Court in collaboration with various parties, namely the implementation of the Constitutional Moot Court Competition.<sup>43</sup>

The aims and objectives of the Constitutional Moot Court Competition are as follows: (1) develop the ability to think and critically analyze legal issues that

develop in society; (2) provide concrete responses to legal issues that occur, as a means of self-development in the aspect of the analysis of legal substance through a critical attitude towards students in dealing with actual legal problems in developing the ability to hold law in court; (3) realize good relations and good and continuous communication in the national sphere between students of the Faculty of Law in the future; (4) provide knowledge in the field of State Constitutional Law especially the Constitution through seminars to increase comprehensive knowledge; and (5) give encouragement to students to be able to become pioneers in the development of state administration law, especially regarding the constitution in Indonesia.<sup>44</sup>

#### 4. Digital signature

According to Guntur Hamzah<sup>45</sup>, the Constitutional Court in the face of the Industrial Revolution 4.0 which was an era of disruption, has made one change, where for the signing of documents that previously used wet signatures, now it has moved by using dry or digital signatures, the aim of which is to be faster and effective in the process.

### C. Closing

In order not to be left behind with developments and advances in the Industrial Revolution 4.0 era, we must be able to prepare ourselves with knowledge about technology and other fields and not be anti-development and willing to accept changes or open our way of thinking by accepting the progress of the times. The Constitutional Court and its Human Resources have prepared themselves to face and undergo the Industrial Revolution 4.0 by continuing to improve their knowledge and skills and who become the core business and in carrying out the duties and functions of the Constitutional Court carried out with the ICT system based on Pancasila and the 1945 Constitution.

### References

#### 1. Book

- Poespoprodjo, W., *Filsafat Moral Kesusilaan Dalam Teori dan Praktik*, (Bandung: Remaja Karya, 1986: 134).
- Rahardjo, Satjipto, *Ilmu Hukum*, (Bandung: PT. Citra Aditya, 2014).
- Rapar, *Filsafat Politik Agustinus*, (Jakarta: Rajawali Pers, 1989).
- Sidharta, B. Arief, *Hukum dan Logika*, (Bandung: Alumni, 2000:35).
- Sunggono, Bambang, *Metodologi Penelitian Hukum*, (Jakarta: Raja Grafindo Persada, 1997).

2.. Scientific work

- Arsyad, Shawir, Aliran Pemikiran Hukum: Hukum Alam, <http://arsyadshawir.blogspot.com/2012/11/aliran-pemikiran-hukum-hukum-alam.html> .
- Asmara, Galang, Pemberdayaan Hukum Dalam Rangka Mewujudkan Indonesia Sebagai Negara Hukum dan Empowering State, Journal of Perspective Volume VI No.4 of 2001 October Edition, [tps://www.academia.edu/33357537/PEMBERDAYAAN\\_HUKUM\\_DALAM\\_RANGKA\\_MEWUJUDKAN\\_INDONESIA\\_SEBAGAI\\_NEGARA\\_HUKUM\\_DAN\\_EMPOWERING\\_STATE](https://www.academia.edu/33357537/PEMBERDAYAAN_HUKUM_DALAM_RANGKA_MEWUJUDKAN_INDONESIA_SEBAGAI_NEGARA_HUKUM_DAN_EMPOWERING_STATE) .
- Binus University, Sejarah dan Perkembangan Revolusi Industri, <http://binus.ac.id/knowledge/2019/05/sejarah-dan-perkembangan-revolusi-industri>
- Fery Sujarman Blog, Teori Hukum Realis Atau Legal Realism, <https://sujarman81.wordpress.com/2011/08/26/teori-hukum-realis-atau-legal-realism/>
- Detik.com. Generasi Milenial dan Era Industri 4.0, <https://news.detik.com/kolom/d-3981811/generasi-milenial-dan-era-industri-40> .
- Hamzah, M. Guntur, in a public lecture with the theme “Development of Legal Politics in the Era of the Industrial Revolution”, which is held at the Law Study Program Doctoral Program (PHPD) Faculty of Law, Untag, Semarang, July 27, 2019.
- MD., Moh. Mahfud, Legal Politics Lecture Material, UII Postgraduate Program.
- Pangestu, Mari Elka, SDM Masih Jadi Tantangan Besar Indonesia Hadapi Industri 4.0, <https://www.liputan6.com/tekno/read/3921579/pentingnya-peran-ma-dalam-revolusi-industri-40>
- Guidelines for Organizing Student Debat Konstitusi Competition among Indonesian Universities XII 2019, Registrar and Secretariat General of the Constitutional Court 2019.
- Positivisme dan August Comte, <https://www.kompasiana.com/laylaelfitrim/5529e334f17e61ff35d62f9/positivisme-dan-august-comte>.
- Invitation Proposal for Constitutional Court Competition VI National Level VI Cup of Chairman of the Constitutional Court in 2019 Cooperation between the Constitutional Court, Tarumanegara University, and the Constitutional Court Law Teaching Association.

Kurniasih Panti Rahayu, Head of the Pancasila Education Center and the Constitutional Court, when delivering remarks in the holding of the Indonesia XII Student Constitution.

Inter-University Constitution Contest Competition in 2019 East Regional Level, Faculty of Law, Sam Ratulangi University Manado, North Sulawesi, <https://kawanuainside.com/fakultas-hukum-unsrat-tuan-rumah-kompetisi-debat-konstitusi/>.

Report on the Activities of Pekan Konstitusi at Udayana University 2016, Constitutional Court of the Republic of Indonesia, Denpasar: May and September 2016.

Sianturi, Ray Pratama, Konsep Hukum Roscoe Pound Tentang Law As A Tool Of Social Engineering,

**Endnotes:**

<sup>1</sup> Binus University, Sejarah dan Perkembangan Revolusi Industri, <http://binus.ac.id/knowledge/2019/05/sejarah-dan-perkembangan-revolusi-industri/>, uploaded Sunday, September 22, 2019, at 19.42 WIB.

<sup>2</sup> Bambang Sunggono, Metodologi Penelitian Hukum, (Jakarta: Raja Grafindo Persada, 1997: 67-68).

<sup>3</sup> Shawir Arsyad, Aliran Pemikiran Hukum: Hukum Alam, <http://arsyadshawir.blogspot.com/2012/11/aliran-pemikiran-hukum-hukum-alam.html>, uploaded 30 September 2019, at 20:00 WIB.

<sup>4</sup> B. Arief Sidharta, Hukum dan Logika, (Bandung: Alumni, 2000: 35).

<sup>5</sup> Moh. Mahfud MD., Legal Politics Lecture Material, (UII Postgraduate Program: 12).

<sup>6</sup> W. Poespoprodjo, Filsafat Moral Kesusilaan Dalam Teori dan Praktik, (Bandung: Remaja Karya, 1986: 134).

<sup>7</sup> Satjipto Rahardjo, Ilmu Hukum, (Bandung: PT. Citra Aditya, 2014: 163).

<sup>8</sup> Rapar, Filsafat Politik Agustinus, (Jakarta: Rajawali Pers, 1989:7).

<sup>9</sup> Shawir Arsyad, Op. Cit.

<sup>10</sup> What is meant by "positive" are all symptoms that appear as they are, limited to objective experiences. After the facts are obtained, the facts are arranged in such a way as to provide a kind of assumptions (projections) to the future.

<sup>11</sup> Positivisme dan Auguste Comte, <https://www.kompasiana.com/laylaelfitrim/5529e334f17e61ff35d623f9/positivisme-dan-august-comte>, uploaded Friday, October 4, 2019, at 09.11 WIB.

<sup>12</sup> M. Guntur Hamzah, in a public lecture with the theme "Development of Legal Politics in the Era of the Industrial Revolution 4.0", which is held Law Study



Program Doctoral Program (PHPD) Faculty of Law, Untag, Semarang, July 27, 2019.

<sup>13</sup> Ray Pratama Sianturi, Konsep Hukum Roscoe Pound Tentang Law As A Tool Of Social Engineering, <https://raypratama.blogspot.com/2015/04/konsep-hukum-roscoe-pound-tentang-law.html>, uploaded on Friday 4 October 2019 at 10:17 WIB.

<sup>14</sup> M. Guntur Hamzah, Op. Cit.

<sup>15</sup> Fery Sujarman Blog, Teori Hukum Realis Atau Legal Realism, <https://sujarman81.wordpress.com/2011/08/26/teori-hukum-realis-atau-legal-realism/>, uploaded Friday, October 4, 2019, at 10.31 WIB.

<sup>16</sup> M. Guntur Hamzah, Op. Cit.

<sup>17</sup> Galang Asmara, Pemberdayaan Hukum Dalam Rangka Mewujudkan Indonesia Sebagai Negara Hukum dan Empowering State, Journal of Perspective Volume VI No. 4 of 2001 October Edition, p. 241.

<sup>18</sup> M. Guntur Hamzah, Op. Cit.

<sup>19</sup> UNILAK Magazine edisi 4/2018, Revolusi Industri 4.0 Yang Sudah di Depan Mata, p. 8, <https://www.unilak.ac.id/asset/banner/UNILAK%20MAGAZINE%204.pdf>, uploaded Wednesday, September 25, 2019, at 14.25 WIB.

<sup>20</sup> Supandi, Tantangan dan Kontribusi Pendidikan Hukum di Era Industri 4.0, delivered at the Expert Lecture in the Law Study Program Building of the University's Masters Program (PHPM) 17 August 1945 (UNTAG) Semarang, Thursday, August 1, 2019, <https://magisterhukum.untagsmg.ac.id/galeri/berita/112-tantangan-dan-kontribusi-pendidikan-hukum-di-era-industri-4-0>, uploaded Wednesday, September 25, 2019, at 8.54 WIB.

<sup>21</sup> Mari Elka Pangestu, SDM Masih Jadi Tantangan Besar Indonesia Hadapi Industri 4.0, <https://www.liputan6.com/tekno/read/3921579/pentingnya-peran-ma-dalam-revolusi-industri-40>, uploaded 24 September 2019, at 15.02 WIB.

<sup>22</sup> Liliana Tedjosaputro, Tantangan Praktek Kenotariatan Dalam Menghadapi Revolusi Industri 4.0 Challenges of Notary Practice in Facing Industrial Revolution 4.0, <http://mkn.usu.ac.id/images/19.pdf>, uploaded Wednesday, September 25, 2019, at 23:59 WIB.

<sup>23</sup> Ibid.

<sup>25</sup> Supandi..., Op. Cit.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Mari Elka Pangestu, Op. Cit.

<sup>30</sup> Generasi Milenial dan Era Industri 4.0, <https://news.detik.com/kolom/d->

3981811/generasi-milenial-dan-era-industri-40, uploaded 28 September 2019, at 17.19 WIB.

<sup>31</sup> M. Guntur Hamzah, Op. Cit.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Supandi..., Op. Cit.

<sup>35</sup> Ibid.

<sup>36</sup> The Vision of the Constitutional Court is "Guarding the Establishment of the Constitution through Modern and Reliable Courts".

<sup>37</sup> The mission of the Constitutional Court is: (1) Building a Constitutional Justice System that is Able to Support the Enforcement of the Constitution; and (2) Enhancing Community Understanding of Citizens'; Constitutional Rights.

<sup>38</sup> The 2018 Constitutional Court Annual Report, Mengawal Daulat Rakyat, (Jakarta: Registrar and Secretariat General of the Constitutional Court, First Matter, January 2019: 55-57).

<sup>39</sup> Guidelines for Organizing Student Debat Konstitusi Competition among Indonesian Universities XII 2019, (Jakarta: Registrar and Secretariat General of the Constitutional Court 2019: 6-7).

<sup>40</sup> Kurniasih Panti Rahayu, Former of Head of the Pancasila Education Center and the Constitutional Court, when delivering remarks in the holding of the Indonesia XII Student Constitution Inter-University Constitution Contest Competition in 2019 East Regional Level, Faculty of Law, Sam Ratulangi University Manado, North Sulawesi, <https://kawanuainside.com/fakultas-hukum-unsrat-tuan-rumah-kompetisi-debat-konstitusi/>, uploaded 28 September 2019, at 23.26 WIB.

<sup>41</sup> Report on the Activities of Pekan Konstitusi at Udayana University 2016, Constitutional Court of the Republic of Indonesia, (Denpasar: May and September 2016).

<sup>42</sup> Ibid.

<sup>43</sup> Invitation Proposal for Constitutional Court Competition VI National Level VI Cup of Chairman of the Constitutional Court in 2019 Collaboration between the Constitutional Court, Tarumanegara University, and the Constitutional Court Law Teaching Association.