

**THE CONCEPT OF LEGAL SCIENCE IN LEGAL EDUCATION BASED ON
MERDEKA BELAJAR KAMPUS MERDEKA TOWARDS ERA 6.0**

Irham Rahman^{1)*}, Bambang Pujiono²⁾, Gentur Cahyo Setiono³⁾

^{1,2,3} Faculty of Law, Kadiri University, Indonesia

^{1)*} irhamrahman@unik-kediri.ac.id

²⁾ bambangpujiono@uni-kediri.ac.id

³⁾ gentur@unik-kediri.ac.id

Abstract

Indonesian higher education has carried out a transformation in the education system with the hope that graduates will be able to compete in the world of work according to their fields. The Ministry of Education and Culture is innovating to create a program Merdeka Belajar Kampus Merdeka (MBKM) that changes the higher education curriculum so that students get more experience off campus. Legal education in tertiary institutions must adapt to this policy in accordance with the character of the concept of law. This research method uses normative juridical, namely examining norms or literature. Meanwhile, this research approach uses a case approach and a conceptual approach. The results of this study, that legal education cannot implement the MBKM policy as a whole because legal education has a character that is in accordance with legal science so that the learning outcomes of legal skills must be adapted to one of the forms of the MBKM curriculum so that graduation achievements match the profile of law faculty graduates.

Keywords: Law Studies, Education, Law

INTRODUCTION

Advances in technology and information in the framework of era 6.0 have experienced many positive changes, especially in the field of education. Indonesian education is undergoing a transformation of the education system so that there is integration between education and work needs. The world of education and the world of work have an inseparable relationship, meaning that the work done is in accordance with the expertise of the educational process. A good education will produce graduates who are suitable for their work. But the problem that often occurs is that college graduates work not in accordance with the fields or majors taken in higher education.

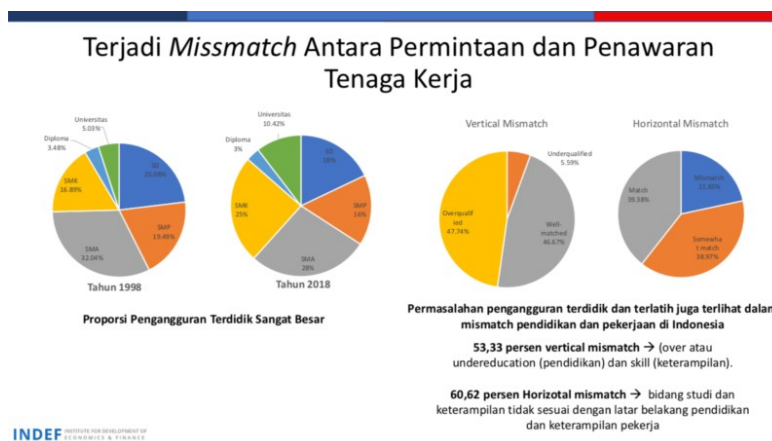


Figure 1. Missmatch between work skills and educational background

Like the figures above regarding the mismatch between employment and educational background in Indonesia (Rahardian, 2019). These problems are still homework for academics to innovate, be creative and study so that the education system in Indonesia has relevance to their work.

Facing competition in a very competitive world of work, there must be good education, to produce good human resources in the field of work or expertise. Responding to this situation, the Ministry of Education, Culture, Research and Technology innovated in the higher education system, namely Merdeka Belajar Kampus Merdeka (MBKM) through the Regulation of the Minister of Education and Culture Number 3 of 2020 concerning National Higher Education Standards. Merdeka Belajar Kampus Merdeka (MBKM) is a higher education learning program created by the Ministry of Education and Culture Research and Technology to transform the higher education system in Indonesia with the hope that it will be relevant according to graduation. This policy provides opportunities for students to gain learning experience outside their field by following their interests and talents in order to gain a broader learning experience. The MBKM program has 8 forms of activities that students can choose from, including; student exchanges, internships/work practices, independent projects, research, teaching in schools, humanitarian projects, and thematic real work lectures/projects in villages. Of the 8 forms, students can do one during their study process to explore experiences outside their campus.

The presence of MBKM has had an impact on legal education in universities throughout Indonesia. The MBKM is a challenge for legal education as a form of response to government policies so that graduates' learning outcomes match the

graduates' profiles. Besides that, the science of law as *sui generis*, which means the science of law is a science of its own kind which is not included in the social sciences or natural sciences. The character of *sui generis* in the science of law shows that science is normative which cannot be ruled out, but on the other hand it has an analytical-empirical nature as a normative practical science (Simatupang, 2019). All of these characters are directed towards the goal of legal science to solve problems that occur in society. So that legal education in tertiary institutions must adjust the MBKM policy in accordance with the character of the science of law itself so that learning outcomes are in accordance with the abilities expected of law graduates.

Adapting the MBKM curriculum to legal education is not easy, there are several issues that are of concern so that the objectives of MBKM and the learning outcomes of legal education are as expected. Based on the 8 existing forms of MBKM, not all of them are in accordance with the legal education system, meaning that there are several forms that cannot be recognized as a science of law. For example, the form of teaching in schools, the program teaches activities in elementary schools or secondary schools for several months and the target schools can be in urban or remote locations. There is no learning achievement from legal education that is in accordance with this form, that legal education is only taught starting in universities. In addition, legal education practicum is not taught in schools. Therefore the problem of this research is how the concept of legal education in the field of law is based on MBKM.

LITERATURE REVIEW

Law as a norm

Norms are guidelines or guidelines for human behaviour in the form of determinations about how to behave in a particular society. More specifically, norms contain provisions for behaviour that is permissible, prohibited or that must be carried out by people in society. Kieser argues that norms are all kinds of regularities and all ways of directing behaviour in the form of groups based on certain beliefs and attitudes (Monteiro, 2017). Law is regulations regarding human behaviour in society that are made by the authorities, are coercive and if violated will get strict sanctions (Sulaiman, 2019).

Law as a science

Jurisprudence as a science has the character that it is prescriptive and applied. It is prescriptive in nature, meaning that the science of law studies norms, values of justice, legal concepts and the rule of law. While it is applied in that the science of law implements the rule of law, and implementing procedures, as well as law enforcement (Warjiyati, 1967). *Ubi Societas ibi ius* which means where there is society there is law. Law is regulations regarding human behaviour in society that are made by the authorities, are coercive and if violated will get strict sanctions.

Merdeka Belajar Kampus Merdeka (MBKM)

MBKM is a policy of the Minister of Education and Culture, Nadiem Makarim, which aims to encourage students to master various knowledge that is useful for entering the world of work. Merdeka Campus provides an opportunity for students to determine the courses they will take. The Merdeka Campus is implemented to create a flexible and autonomous learning process in higher education so that a learning culture is innovative and not tied to complicated ordinances that suit student needs. This program also aims to increase links and matches with the world of business and industry, as well as prepare students to enter the world of work (Direktorat Pendidikan Tinggi Vokasi dan Profesi, 2021).

The MBKM Policy has 8 forms that can be chosen by students to seek experience outside the campus, namely among others;

- a. Internship/Industry Practice is an internship activity in a company, non-profit foundation, multilateral organization, government institution, or start-up company.
- b. The Village Project is a social activity to help people in rural or remote areas in developing the people's economy, infrastructure, and others.
- c. Student Exchange is an activity of taking classes or semesters at foreign and domestic universities, based on cooperation agreements that have been entered into by the Government.
- d. Research is academic research activities, both science and social humanities, which are carried out under the supervision of lecturers or researchers.
- e. Entrepreneurship is an entrepreneurial activity independently proven by an explanation or proposal of entrepreneurial activity and evidence of consumer transactions or employee pay slips.

- f. Independent Studies/Projects are student activities that can develop a project based on a special social topic and can be worked on together with other students.
- g. Humanity is an activity for students who have social sensitivity to explore and explore existing problems so that they can be solved according to their respective interests and expertise.
- h. Teaching in schools is teaching activities in elementary, middle and high schools for several months. Schools can be in urban or remote locations.

RESEARCH METHODS

The research method can be interpreted as a tool for studying or a method for conducting research so that existing problems can be resolved and solutions obtained (Dr. Muhaimin, S.H., 2020). This study uses a normative juridical research method, namely analyzing existing problems with normative or literature studies. This normative juridical research method uses several research approaches, in which the researcher will obtain information from various aspects regarding the issue being tried to find an answer.

The approaches in research include the case approach and the conceptual approach (Marzuki, 2019). The case approach is carried out by conducting a study of cases related to this research issue, then formulating the position of the case to find the problem. While the conceptual approach is to explore the views or doctrines of legal experts regarding related research. Researchers will find the basic concepts of this understanding that are relevant to the issues to be faced.

RESULT AND DISCUSSION

Legal education in Indonesia is inseparable from the relevance of Article 1 paragraph 3 of the 1945 Constitution, namely that Indonesia is a state based on law. This means that the entire order of life, the behaviour of the nation, society and state must be based on applicable law (rule of law). So from the success of legal education in Indonesia seen from the perspective of the level of public awareness of the law. According to Darwis, the effectiveness and efficiency of the quality of legal education can be seen from the level of legal awareness in the community. That the higher the legal awareness of a society, the higher the quality of legal education and vice versa (Fitriasari, 2010). So that raising legal awareness in the community is a tough task for legal academics which is applied through the tri dharma of higher education, namely

teaching, research and community service. Even though so far legal education in Indonesia has only been carried out formally, even law students or general knowledge of law can be obtained only by law students.

Education in primary and secondary schools, students are not provided with general legal education. These students are only given lessons about citizenship without the importance of law. It should be given from the basis what is the urgency of law in the state even though it is only superficial or in general. This is important, as a basis for becoming law-abiding citizens and as a basis for prospective law students who wish to study law majors. As an important part of quality education, legal education is very helpful for increasing legal literacy in people who are aware of the law (Liang, 2020). This legal education innovations need to be developed so that the achievements of law graduates are of high quality.

Legal education has its own character which is in accordance with the concept of legal science, namely *sui generis*. *Sui generis* means that science has its own kind. Although many other scientific disciplines claim that their knowledge also has its own kind. But the science of law has scientific reasons that can be accounted for. The study of legal science is in the form of a normative norm that cannot be ignored, but on the other hand the origin of the law is empirical and analytical as a normative practical science. This is different from the social sciences which are generally empirical in nature, originating from people's behaviour. Legal science sees abstract rules in the form of values of justice, legal norms and has research methods and approaches that are different from social science. So that learning outcomes in legal education are able to understand and analyze law to solve cases or legal issues that exist in society. At the same time raising awareness to the community of the importance of law.

Based on the Government's policy of the Minister of Education and Culture Regulation Number 3 of 2020 concerning National Higher Education Standards, the official higher education curriculum was changed to be called the MBKM curriculum. Therefore, all tertiary institutions in Indonesia must respond and adjust their education system. This policy provides freedom for students to gain a wider experience outside the campus and study outside their majors. Interdisciplinary learning offers are still not widely developed, especially legal education in Indonesia. The MBKM policy has 8 forms of activity which include; student exchanges, internships/ work practices,

projects/ independent studies, research/ research, teaching in schools, humanitarian projects, and thematic real work lectures/ projects in villages and entrepreneurship. Of the 8 forms of activity, the one that is most in line with the character of legal education in the framework of improving graduates' skills in accordance with the field of legal competence is apprenticeship. Meanwhile, other forms of activity are not in accordance with the learning outcomes of legal education graduates. For example, entrepreneurship whose activities develop businesses, of course the competencies or skills of these activities are not in accordance with the concept of legal science.

The form of the MBKM apprenticeship is that apprenticeship activities can be carried out in a company, foundation, institution, multilateral organization, government institution or start-up company. This means that the place or apprentice partner can be chosen according to the skills in the field of knowledge such as law in a lawyer's or prosecutor's office. The MBKM policy provides an opportunity for students to gain experience in the field of law outside of campus, by honing and improving the competence of graduates' legal skills which is better than the previous curriculum. The previous curriculum for the internship program had a shorter duration with a maximum weight of 4 credits. So that students who do internships cannot develop their skills to the fullest.

Good apprenticeship activities, must get sufficient provision, namely basic concepts and legal theory. So that the apprentice students can implement the basic concepts and legal theories they have learned in class. Mastery of basic concepts and legal theory is important, without this understanding intern students will not know what they will learn when they are in apprentice partners. The modules, guidelines and standards for the apprenticeship must be prepared in advance by the person in charge or the supervising lecturer along with the apprentice partners so that the apprenticeship can run well. If this preparation is missed, it will have an impact on decreasing the quality and competence of legal education learning. Considering that the new MBKM curriculum provides relatively long internship opportunities, namely 1 semester or 2 semesters, those who should be able to learn material that is relevant to the place of internship.

CONCLUSION

The MBKM policy is the government's effort to integrate learning outcomes on campus with business or industrial needs. However, this policy can be implemented maximally in all disciplines. Each department must adjust according to the achievements of each graduate. Legal education can only carry out one form of MBKM activity, namely apprenticeship. Meanwhile, other forms of activity do not match the character of legal science. So that apprenticeship is the right option for legal education in improving the quality of legal skills at the apprenticeship.

REFERENCES

- Direktorat Pendidikan Tinggi Vokasi dan Profesi, K. (2021). *Panduan Implementasi Kebijakan MBKM Pada Kurikulum Pendidikan Tinggi Vokasi Program Sarjana Terapan*. 1–66.
- Dr. Muhaimin, S.H., M. H. (2020). *Metode Penelitian Hukum* (F. Hijriyanti (ed.)). Mataram University Press.
- Fitriasari, S. (2010). Pentingnya Pendidikan Hukum bagi Warga Negara Indonesia. In *Jurnal Civicus* (Vol. 10, Issue 2, pp. 1–9).
- Liang, W. (2020). The legal education of college students under the background of rule of law. *Lifelong Education*, 9(1), 9. <https://doi.org/10.18282/le.v9i1.785>
- Marzuki, P. M. (2019). *Penelitian Hukum* (Cetakan-1). Kencana.
- Monteiro, J. M. (2017). *Konsep Dasar Ilmu Hukum*. Setara Press.
- Rahardian, L. (2019). *Skill Tak Sesuai, Suplai Tenaga Kerja Tak Terserap*. Bisnis.Com. <https://ekonomi.bisnis.com/read/20190316/12/900380/skill-tak-sesuai-suplai-tenaga-kerja-tak-terserap>
- Simatupang, T. H. (2019). *INITIATING THE CONCEPT OF SUI GENERIS OF THE LEGAL PROTECTION ASAS LEX SPECIALIS OF COMMUNAL INTELLECTUAL PROPERTY IN THE PHILOSOPHY OF (Principle of Lex Specialist Systematic and Tax Criminal Law)*. 2(2), 243–256.
- Sulaiman, A. (2019). Penghantar Ilmu Hukum. *UIN Jakarta Bersama Yayasan Pendidikan Dan Pengembangan Sumber Daya Manusia (YPPSDM Jakarta*, 294. [https://repository.uinjkt.ac.id/dspace/bitstream/123456789/57878/1/PROF ABDULLAH Buku Pengantar Ilmu Hukum.pdf](https://repository.uinjkt.ac.id/dspace/bitstream/123456789/57878/1/PROF%20ABDULLAH%20Buku%20Pengantar%20Ilmu%20Hukum.pdf)
- Warjiyati, S. (1967). MEMAHAMI DASAR ILMU HUKUM Konsep Dasar Ilmu Hukum. In *Angewandte Chemie International Edition*, 6(11), 951–952.