Dynamics of Progressive Law Implementation in Indonesia: Prospects and Challenges of Law in the Era of Industrial Society 4.0

Kiki Tanlim1, Surya Nita2, Ahmad Ibrahim Badry3
tanlim.kiki@gmail.com¹, surya.nita@ui.ac.id², ahmad.ibrahim@ui.ac.id³

Police Science Studies, School of Strategic and Global Studies, University of Indonesia

**Abstract**

This article aims to analyse the dynamics of progressive law implementation in Indonesia, as well as explore the various prospects and challenges facing the law in the Era of Industrial Society 4.0. The method used in this research is a literature review of publications in leading journals. Through literature analysis, this article identifies several factors that affect the implementation of progressive law in Indonesia, especially in the era of Industrial Society 4.0. First, there are challenges in terms of understanding and awareness of the concept and implementation of progressive law among legal practitioners and the general public. This limited knowledge and understanding can hinder the application of progressive law in everyday legal practice. Second, institutional factors also play an important role in the implementation of progressive law. Lack of government consistency along with commitment from legal institutions, such as the courts and the police, can hinder the implementation of progressive law. In addition, other challenges such as weaknesses in the judicial system and its bureaucracy, potential conflicts in values and culture, and imbalances in regulation can also be obstacles to the implementation of progressive law. This article also identifies the future prospects of progressive law implementation in Indonesia. With a growing awareness of the importance of progressive law in achieving social justice, there is potential for positive change. With growing awareness of the importance of progressive law in achieving social justice, there is potential for positive change. Improved legal education, training, and public awareness can strengthen the implementation of progressive law in Indonesia. Overall, this article concludes that the implementation of progressive law in Indonesia faces significant challenges, but also has bright prospects for the future. Collaborative efforts from various parties, including legal practitioners, legal institutions, and the general public, are needed to strengthen the implementation of progressive law and achieve better social justice in Indonesia.

**Keywords:** Impact of corruption, law enforcement, corruption eradication, policy reform.
| Keywords: dynamics, implementation, progressive law, application of law, |
I. Introduction

One of the ideas developing in the Indonesian legal order is progressive law. According to Satjipto Rahardjo, progressive law is an idea that emerged out of concern for the quality of law enforcement in Indonesia, especially since the reform took place in mid-1997 (Rahardjo, 2010). As a new paradigm in law enforcement in Indonesia, progressive law places emphasis on reflecting the values of justice that develop in society (Arif, 2019). The development of progressive law is basically aimed at bringing about social change in society while addressing issues of justice and equality through legal means. Progressive law recognizes the need to challenge and change existing legal frameworks that can perpetuate inequality, discrimination and social injustice (Cummings, 2018).

Progressive law has several main focuses on fulfilling human rights, such as the right to education and access to knowledge without discrimination as well as protection from the potential dangers of developments in science and technology (Mann et al., 2018). To achieve this, institutional and policy frameworks are needed that support scientific research and access to scientific advances. In addition, progressive law also recognizes the role of social movements in changing society, providing them with leadership in transformative processes while maintaining the conventional role of courts and lawyers (Cummings, 2018). Progressive law basically emphasizes legal adaptation to social change and meeting community needs, in line with the views of legal experts such as Soekanto (2010) and Satjipto Rahardjo (2005).

Law is a dynamic system. As stated by Renny NS Koloay (2016), law will always develop following the development of society from all aspects, be it social, cultural, economic or political aspects. Every change that occurs in society will affect the operation of law in a country. Developing law will always align itself with changes that occur in society, because basically law is a code/rule that emerges from an agreement on the values that exist in society (Sugiantari, 2015).

The development of society has now reached the stage of the Industrial 4.0 era. According to Klaus Schwab (2016), a founder and executive chairman of the World Economic Forum, said that the Industrial Era 4.0, or "Fourth Industrial Revolution", is a term that describes the acceleration of technology in the 21st century, which is characterized by the unification of technologies such as artificial intelligence, genetic engineering, and advanced robotics that blur the boundaries between the physical, digital, and biological worlds. This era also sees fundamental changes in the way global production and supply operates through continuous automation, smart technology, machine-to-machine (M2M) communications, and the Internet of Things (IoT), resulting in increased automation, better communications, and the use of machines. intelligent to analyze problems without human intervention. The Industrial Era 4.0 also
reflects social, political and economic changes towards an era of pervasive connectivity in society, changing the way humans experience and understand the world around them into an enriched social reality.

The presence of the industrial era 4.0 in Indonesian society has changed the existing legal system. Current legal dynamics are slowly following changes in the Indonesian social system. This can be seen in new legal regulations adapted to the current context of society’s needs, such as the emergence of the ITE Law, personal data protection law, and so on. In this case, the law becomes a limitation for society in living life in the industrial era 4.0 with all the changes that occur in it.

Prof. HR Benny Riyanto (2020) in his writing stated that the legal system is required to always be adaptive to every development that occurs in society, including in the current industrial era 4.0. This adaptability is also determined by the community’s communication patterns which are the basis for the development of the existing legal system from time to time.

Legal progress in the era of industrial society 4.0 is also related to the approach to its implementation, including the implementation of progressive law. As stated by A. Sukris Sarmadi (2012) in his research, progressive law is law that is humanist and justice-oriented. This legal system seems to answer the people’s desire for laws that are fair and socially driven, not like laws with all elements of positivism which have so far excluded elements of justice. Likewise in the industrial era 4.0, where the ease of people accessing information makes people critical and encourages thinking about justice in the legal system. This condition then created the term "legal reform" in various progressive legal literature in Indonesia (Ansori, 2017).

The implementation of progressive law in Indonesia is a very dynamic process. However, in reality, its implementation in society is much more complicated than imagined. Various challenges arise which make the progressive legal paradigm in Indonesia experience difficulties in its implementation. Research by Deni Nuryadi (2016) shows that the implementation of progressive law in society requires a deep understanding from law enforcers regarding the sociological and anthropological aspects of the society concerned. Progressive law is not just a matter of justice, but also requires law enforcers to have the courage to interpret legal justice in accordance with the social realities of the society they face. This becomes increasingly relevant in the context of industrial society 4.0, where applicable laws must be adapted to their understanding of the sociology and anthropology of a transformed society. Although this condition brings a number of challenges, it also brings promising opportunities for the fulfillment of progressive laws that are fairer for society. Therefore, this article attempts to outline the dynamics, challenges and prospects for the implementation of progressive law in Indonesia, especially in the context of society living in the current industrial era 4.0.
2. Research Method

a. Method a. Progressive Legal Theory

In this article, the author applies various theories to describe and analyze how progressive law is implemented. One of the theories that is the basis is the progressive legal theory formulated by a well-known legal figure, namely Satjipto Rahardjo. According to Rahardjo (2013), progressive law is a legal development process that aims to increase public legal awareness by focusing on meeting social needs. Apart from that, in the Indonesian context, this article also refers to the thoughts of Gusti Anshari (2016) who underlines that the implementation of progressive law must take into account cultural, political and economic factors that are unique to Indonesia.

To understand the development of progressive law implementation in the last five years, the author takes a case analysis approach. One example of the case analyzed in this article is the amendment to Law no. 17 of 2016 concerning Amendments to Law no. 23 of 2006 concerning Population Administration. Through this case analysis, the author illustrates how changes in the law reflect the dynamics of progressive legal implementation in Indonesia over the last five years.

The use of these theories in scientific articles provides deeper insight into how progressive law is implemented in Indonesia. Through progressive legal theory by Satjipto Rahardjo, the author explains the importance of adapting legal implementation to the social needs of society. Meanwhile, the views provided by Gusti Anshari provide a relevant perspective on the factors that need to be taken into account in implementing progressive law in Indonesia.

b. Era of Industrial Society 4.0

As previously discussed, the Industrial Society Era 4.0 is a term coined by Klaus Schwabb (2017). Through his book, Schwabb defines industrial era society 4.0 as an era where humans and technology experience a merger in various aspects, such as artificial intelligence, genetic engineering, and the creation of advanced robotics technology that can make human life easier. In addition, Schwabb also emphasized that industry 4.0 brings about fundamental changes in the way global production networks and supply chains operate through continued automation, the use of smart technology, large-scale machine-to-machine communication (M2M), and the Internet of Things (IoT). The integration of these technologies results in increased automation, better communication, and the use of intelligent machines capable of analyzing and diagnosing problems without any element of human intervention.

In this article, the industrial era 4.0 is linked to the prospects and challenges for the implementation of progressive law in Indonesia. This connection refers to various scientific literature which discusses progressive law and its challenges and opportunities in today’s society. Min Xu, Jeanne M. David, & Suk Hi Kim (2018) in their writing stated that the entry of the Industrial Era 4.0 brings various striking prospects and challenges. This revolution differentiated itself from previous industrial revolutions by its greater speed, scale, complexity, and transformational power. The
opportunities offered by the Industrial Era 4.0 involve increasingly advanced technological capabilities to produce major changes in various aspects of our lives, even exceeding the combined changes that occurred in the previous three industrial revolutions. However, along with these opportunities, various challenges arise that must be overcome. These challenges include income inequality, cybersecurity, and ethical dilemmas. Income inequality may become greater in this era, while cybersecurity becomes increasingly important with increasing reliance on technology. In addition, the social and economic changes induced by the Industrial Era 4.0 also impact the way we live, work and interact with each other. Therefore, a good understanding of new technologies and their disruptive potential is essential, especially for developing countries. The Industry 4.0 era can impact society and the economy in a variety of ways, including through greater engagement in social networks, easier access for innovative manufacturers and competitors to digital platforms for marketing and distribution, and its impact on consumer expectations, product quality, collaborative innovation, and forms of new organization. In order to overcome these challenges and maximize positive potential, there needs to be change and adaptation in various sectors of society and business.
3. Results and Discussion
   a. Case Analysis related to the Dynamics of Progressive Law Implementation in Indonesia

   The implementation of progressive law in Indonesia is an interesting dynamic to explain, especially in relation to the current conditions of society in the industrial era 4.0. Progressive law is an approach to the justice system that involves legal interpretation based on the socio-political context and values of justice. Since the last five years, there have been several cases that reflect the dynamics of implementing progressive law in Indonesia as evidence and reference.

Case 1: Handling of Information and Electronic Transactions (UU ITE)

   The ratification of Law Number 19 of 2019 concerning Handling of Information and Electronic Transactions (UU ITE) is one of the most relevant in the context of the Industrial 4.0 era that is currently occurring in society. This case prompted President Joko Widodo to state that the ITE Law needs to be revised to be more in line with the spirit of progressive law. President Joko Widodo's statement (2021) illustrates the government's commitment to encouraging the implementation of progressive laws in Indonesia, "Revision of the ITE Law needs to be carried out so as not to deny freedom of expression and respect human rights."

   The case of ratification of Law Number 19 of 2019 concerning Handling of Information and Electronic Transactions (UU ITE) is an important example in the context of the Era of Industrial Society 4.0 in Indonesia. In an era where information and communication technology is developing rapidly, the implementation of progressive laws becomes very relevant. President Joko Widodo's statement advocating the revision of the ITE Law to better support freedom of expression and human rights reflects awareness of the importance of maintaining a balance between protecting society and freedom of opinion in the digital environment. This shows that the Indonesian government is responding to the changes brought by the Industrial Era 4.0 with a commitment to ensuring laws that are dynamic and relevant to the demands of an increasingly connected and digital age. Thus, the ITE Law case is a concrete example of progressive law as essential in responding to changes brought about by Industrial Society 4.0 in the context of technology and information regulations.

Case 2: Ratification Policy of the Customs Law

   One case that illustrates the implementation of progressive law in Indonesia is the policy of ratifying Law Number 16 of 2019 concerning the Second
Amendment to Law Number 5 of 1990 concerning Customs. In this case, the character Daniel Purba, a legal observer, shows how important the implementation of progressive law is in changing legal policy in Indonesia. Daniel Purba (2020) stated that "the implementation of progressive law in changes to this law reflects increased awareness of the need for law that is dynamic and in line with current developments." Judge Saldi Isra (2017) stated in the decision that "progressive legal interpretation is part of the judge's power in an effort to produce fair and appropriate decisions based on the demands of the people and community values."

The case of ratification of Law Number 16 of 2019 concerning the Second Amendment to Law Number 5 of 1990 concerning Customs reflects the importance of implementing progressive law in the context of the Era of Industrial Society 4.0 in Indonesia. Through the views of legal figures such as Daniel Purba, it can be seen that changes to this law reflect awareness of the need for laws that are dynamic and relevant to current developments. In the midst of rapid technological change and social transformation, progressive law allows for the adaptation and updating of laws to meet the demands of society and evolving values. In Judge Saldi Isra's view, progressive legal interpretation is an important part of the judge's role in exercising his power to ensure legal decisions are fair and in line with the people's expectations. In the context of Industrial Society 4.0, where technological innovation and social change occur rapidly, the use of progressive law is a key element in maintaining the relevance of the legal system to the needs of society and the modern era.

Case 3: Mineral and Coal Mining

One case that reflects the dynamics of implementing progressive law is the decision of the Constitutional Court (MK) Number 46/PUU-IX/2011 concerning amendments to Law no. 4 of 2009 concerning Mineral and Coal Mining. This decision evaluates provisions in the law that have the potential to harm the environment and local communities. In its decision, the Constitutional Court stated that mining must be environmentally and community-oriented, and protect the constitutional rights of citizens. This decision shows the Constitutional Court’s efforts to encourage the implementation of progressive laws in the mining sector.

Constitutional Court (MK) decision case Number 46/PUU-IX/2011 concerning amendments to Law no. 4 of 2009 concerning Mineral and Coal Mining reflects the importance of implementing progressive laws in the context of the Industrial Society Era 4.0. In an era where environmental issues and community rights are increasingly complex, this Constitutional Court decision emphasizes the need to protect the environment and the constitutional rights of
citizens in the mining sector. This indicates a legal response to the challenges faced in the industrial era 4.0 where environmental issues and community participation in decision making are increasingly relevant. This Constitutional Court decision illustrates the important role of legal institutions in encouraging legal change and adaptation in accordance with societal demands and technological developments in an increasingly connected and sophisticated era. Thus, this case is a concrete example of how progressive law plays an important role in responding to the complex dynamics that exist in the Era of Industrial Society 4.0.

Apart from that, the Constitutional Court (MK) decision case number 46/PUU-IX/2011 concerning changes to Law no. 4 of 2009 concerning Mineral and Coal Mining has significant relevance to environmental issues in the Industrial Era 4.0. In the midst of accelerating technology and industrial transformation, sustainable and environmentally sound mining is becoming increasingly important. In the context of Industry 4.0, where technologies such as IoT and artificial intelligence are used in the mining sector, environmental issues such as waste management and environmental impact become more complex. As can be understood, progressive law is law that is just, including in the context of environmentally oriented justice. The Constitutional Court’s decision underscores the need for environmental protection in mining activities and shows awareness of the significant environmental impacts that can arise. In preparation for the Industrial Era 4.0, where advanced technologies such as nanotechnology and renewable resources may become increasingly dominant, environmental issues will become even more crucial. Progressive law, as represented by the Constitutional Court’s decision, is the basis for ensuring that in the Era of Industrial Society 4.0, mining and other industrial activities take environmental impacts seriously and are in line with increasingly advanced technological developments. Thus, this decision becomes a relevant guideline for dealing with environmental issues in an increasingly advanced industrial era.

Case 4: Same Sex Marriage

Another case that reflects the dynamics of implementing progressive law is the Supreme Court (MA) decision regarding same-sex marriage. In 2017, the Supreme Court rejected a woman’s request for same-sex marriage. This decision is based on article 1 paragraph (1) of Law no. 1 of 1974 concerning Marriage which states that marriage is an inner and outer bond between a man and a woman. Although this decision caused controversy among LGBT activists and advocates, it reflects the complexity of implementing progressive law in Indonesia, as well as the conflict between aspects of culture, religion and human
The case of the Supreme Court (MA) decision regarding same-sex marriage reflects the dynamics of implementing progressive law in the Era of Industrial Society 4.0 in Indonesia. In an era where technology and information are developing rapidly, issues related to human rights and gender equality are becoming increasingly prominent. This Supreme Court decision, which rejected the request for same-sex marriage, reflects the complexity of balancing cultural values, religion and human rights in the context of marriage. The controversy arising from this ruling also underscores the role of progressive law in navigating social and cultural changes in the digital era. In the Industrial Era 4.0, the tension between tradition and inclusive legal development is increasingly felt, and decisions such as this reflect the challenges faced in accommodating social change and cultural values with broader human rights protection.

Case 5: Freedom of Information

Furthermore, a case that reflects how progressive law is applied in Indonesia is the decision of the Constitutional Court (MK) regarding the right to freedom of information. In 2016, the Constitutional Court strengthened the public’s right to access public information in decision Number 54/PUU-XIV/2016. In this decision, it is stated that restrictions on the right to access information must have a wise basis and be based on clear interests, and must be in accordance with the principles of justice and applicable law. This decision reflects the Constitutional Court’s efforts to increase the protection of human rights and encourage transparency and accountability in government, in line with the spirit of progressive law aimed at advancing democratic principles and citizens’ rights. However, the law has attracted public attention because several articles in it are considered to inhibit freedom of opinion and digital expression, raising questions about the extent to which progressive laws can be implemented effectively in the Indonesian legal context.

The Constitutional Court’s decision regarding the right to freedom of information above reflects the dynamics of implementing progressive law in the Era of Industrial Society 4.0 in Indonesia. In an era where information and communication technology is developing rapidly, access to public information is becoming increasingly crucial. This Constitutional Court decision shows awareness of the importance of transparency, accountability and protection of human rights in an increasingly digitally connected world. However, the ITE Law has also received significant attention because it is considered to have articles that limit freedom of opinion and digital expression. This reflects the complexity of implementing progressive law in accommodating social change, technology and values that are increasingly sophisticated and connected in the Industrial Era.
Era 4.0. In this context, the Constitutional Court’s decision is a concrete example of how legal institutions try to maintain a balance between protecting individual rights and the demands of cyber security and public order in an ever-developing digital world.

b. Challenges in implementing Progressive Law in Indonesian Society in the Industrial Era 4.0

Based on the case description above, it can be seen that progressive law in Indonesia has experienced various dynamics, especially the dynamics in the industrial era 4.0 that Indonesian society is currently experiencing.

Challenge 1: Understanding and awareness of the concept and implementation of progressive law

The main challenge in implementing progressive law in Indonesia is the low understanding and awareness of this concept among legal practitioners and the general public. Progressive law involves a dynamic approach, which means the law must continue to adapt to developments in time and technology. However, due to a lack of understanding of this principle, many people may still hold a static, traditional view of the law. This can hinder the process of changing the law in accordance with the demands of the changing times. Therefore, education and increasing awareness about progressive law in society and legal practitioners is very important. If we look at the cases that have been described, this challenge can be seen in the case of the 2019 revision of the ITE Law. This case reflects the low understanding and awareness of progressive law. This revision was triggered by controversy surrounding articles in the ITE Law which were deemed to limit freedom of expression. This challenge is also reflected in the controversial ITE Law cases against individuals who voice opinions on social media.

Challenge 2: Government consistency and law enforcement commitment in implementing Progressive Law

The next challenge is related to the government's consistency and law enforcement commitment in implementing a progressive legal approach. As times change, regulations and laws often change to accommodate social and technological changes. However, in some cases, government actions can be considered contradictory. For example, although the government supports the revision of the ITE Law to support freedom of expression, there are also articles in the law that are considered to limit freedom of expression. This creates ambiguity in the legal direction taken by the government, and this may confuse the public as well as legal practitioners. The implementation of progressive laws
also depends on the support and commitment of legal institutions, such as the courts and the police. If these institutions do not understand or accept the concept of progressive law, then progressive law will be difficult to implement effectively. Additionally, there is a need to ensure that these institutions have sufficient resources and training to implement progressive laws in their daily practices.

Challenge 3: Weaknesses of the justice system and its slow bureaucracy

The next challenge comes from aspects of the criminal justice system and its bureaucracy. First, a weak judiciary faces a number of problems. Slow and complex judicial processes can result in delayed legal decisions, which in turn will hinder progressive legal development. In the Industrial Era 4.0 which is characterized by rapid technological changes and dynamics, law must be able to adapt to these changes. However, if the justice system cannot function efficiently and effectively, it will be difficult to produce legal decisions that are in line with the demands and developments of the times. Limitations in the justice system can also affect the protection of individual rights and society’s access to justice.

Furthermore, slow bureaucracy can become an obstacle in implementing progressive legal changes. Slow legislative and administrative processes can hinder the legal reforms needed to create laws relevant to the Industrial Era 4.0.

Complex and convoluted bureaucracy can hinder policies that support progressive legal development. Therefore, speeding up bureaucratic processes, simplifying administrative procedures, and ensuring policies that support legal reform need to be a focus in efforts to realize progressive laws.

If it is related to the cases that have been described, it can be seen that these cases are rooted in problems with a slow justice system and complex bureaucracy. A judicial process that runs at a limited speed, as well as complicated bureaucracy, can become serious obstacles in achieving progressive legal decisions in accordance with the spirit of progressive law desired by the government. Efforts to revise laws or interpret laws more progressively in these areas are often hampered by obstacles in the justice system and bureaucratic processes that tend to be slow. Therefore, to successfully realize progressive law in the Industrial Era 4.0, improving and reforming the justice system and bureaucracy is an important priority.

Challenge 4: Values and Culture

Implementing progressive law in industrial era 4.0 society has cultural challenges, namely related to issues of Values and Culture. This can be seen from several of the cases described, such as the case of same-sex marriage, reflecting a conflict between aspects of culture, religion and human rights. Progressive
legal implementers must navigate these challenges carefully. Indonesian society has diverse cultures and strong values, and finding agreement in a progressive legal context can be complicated. Therefore, inclusive dialogue and wise discussions are needed to find the right balance between human rights and cultural values in society. As changes continue in the industrial era 4.0, progressive law plays a key role in bridging this gap by ensuring inclusive human rights protection while understanding and respecting the diverse cultural heritage and values of Indonesian society, thereby creating dynamic and relevant law in facing the challenges of this era.

Challenge 5: Imbalance in Regulation

Based on the cases described previously, it appears that the implementation of progressive law in the digital era 4.0 society is still experiencing problems, especially in the aspects of regulations that are passed. Several regulations, such as the ITE Law, have received significant attention because they are considered to have articles that limit freedom of opinion and digital expression. This creates an imbalance in regulation that may hinder free speech and digital expression. In the context of progressive law, striking a balance between the protection of individual rights and the demands of cybersecurity and public order is a complex challenge. Cooperation between governments, legal practitioners and the public is needed to review controversial regulations and ensure that they comply with progressive legal principles. Along with rapid technological developments and social changes, legal adjustments have become important to maintain a balance between individual rights and cybersecurity in an increasingly connected digital era. Thus, progressive and inclusive regulatory arrangements are the key to responding to the legal challenges faced in the industrial era 4.0.

c. Prospects for the Implementation of Progressive Law in Indonesian Society in the Industrial Era 4.0

Progressive law in Indonesia has future prospects that could include more support and awareness of progressive legal concepts from various parties, including academics, legal practitioners, human rights activists, and the general public. This is also included in the prospects in the current Industry 4.0 era. With increased understanding of the benefits and relevance of progressive law, it is possible that more initiatives and legal reforms will be carried out to strengthen the position of progressive law in the Indonesian legal system. Apart from that, future prospects may also involve efforts from the government and legal institutions to improve the legal infrastructure and justice system, so that the implementation of progressive laws can be carried out more efficiently and
effectively. With changes in laws and regulations that support progressive legal principles, it is hoped that a more inclusive, fair and forward-looking legal environment can be created in Indonesia. Thus, although there are still a number of challenges and debates in the implementation of progressive law in Indonesia, there is hope that the future will bring improvements and more positive changes in this regard. Several future prospects for the dynamics of implementing progressive law in Indonesia can be described as follows.

**Progressive law as the future of Indonesian law**

According to Dr. Rodiyah, progressive law must be encouraged to become the spirit or spirit of law implementation in Indonesia, so that law enforcers from various institutions can apply progressive law in carrying out their duties (Rodiyah, 2018). Based on Dr. Rodiyah, progressive law must be the spirit or soul of law implementation in Indonesia. This means that progressive law must be the main basis for carrying out law enforcement duties by various law enforcement agencies in Indonesia. In this context, progressive law is considered as a solution to overcome legal problems that exist in Indonesia. By implementing progressive law, it is hoped that more equitable justice can be created for all of society, eliminate legal discrimination, and improve people’s welfare. Progressive law also involves the role of judges in making decisions that fulfill a sense of justice. By implementing progressive law, it is hoped that judges’ decisions can consider relevant social, economic and political aspects in resolving legal cases.

The prospect of progressive law as the future of law in Indonesia can be linked to the context of people’s lives in the current era of industry 4.0. Society in the industrial era 4.0 can encourage progressive law to become the main basis for implementing law in Indonesia so that this has increasingly significant impacts. Increasingly sophisticated technology and access to information enable Indonesian people to more quickly understand progressive concepts in law, such as human rights, especially on sensitive issues such as the rejection of interfaith marriages. Progressive law which is the "soul" of legal implementation not only eliminates legal discrimination, but also ensures more equal justice in an increasingly connected and diverse society. With technology and data analytics, law enforcement agencies can identify legal issues that need to be addressed more efficiently, and a deeper understanding of the social and economic context helps judges make wiser decisions. Thus, in the industrial era 4.0, progressive law plays an important role in forming a more just, informed and inclusive society in an increasingly connected and dynamic world.

Legal solutions that improve the welfare of the people
It is hoped that progressive law can become a legal solution that will improve the welfare of the people and eliminate legal discrimination in Indonesia (Taufik, 2020). Legal solutions that improve the welfare of the people refer to efforts to create a legal system that is fair, equitable and supports the interests of the people. It is hoped that progressive law can provide better solutions in resolving legal problems faced by society. In this context, progressive law focuses on the understanding that law must adapt to social, political and economic changes in society. This means that the law must be able to respond to these changes and provide protection and justice to all citizens. By implementing progressive law, it is hoped that more equitable justice can be created for all of society. Laws must not be discriminatory and must provide equal protection to all individuals regardless of their social, economic, or cultural background. Apart from that, progressive laws are also expected to be able to eliminate social and economic disparities in society. By considering social and economic aspects in legal decisions, it is hoped that better justice can be created and society can feel the benefits of a fair legal system. Legal solutions that improve people’s welfare also involve active community participation in the process of making legal policies. Through this participation, the public can provide their input and opinions regarding the legal problems they face, so that the resulting legal policies can be more responsive to the needs and aspirations of the community.

The prospect of implementing progressive law in the industrial era 4.0 is very relevant to efforts to create a legal system that is more just, inclusive and equitable. The industrial era 4.0 has expanded people’s access to information, enabled active participation in policy formation, and facilitated a better understanding of human rights. Progressive law is the key to eliminating legal discrimination and socio-economic disparities in society, considering the rapid social, political and economic changes in this era. By encouraging public participation in legal policymaking, progressive law can accommodate diverse societal perspectives and interests, ensuring more relevant and fair policies. Thus, the implementation of progressive law in the industrial era 4.0 has great potential to provide greater benefits to Indonesian society, create a responsive legal system, and improve justice for all citizens.

Realizing justice and social welfare

Progressive law is expected to be able to realize justice and social welfare through judges’ decisions that fulfill a sense of justice (Amanda Dea Lestari, 2017). In this context, realizing justice means that every individual has the same right to receive fair and equal treatment in the eyes of the law. Progressive law ensures that judges’ decisions are not based on discrimination or personal
interests, but are based on objective principles of justice. Progressive laws also seek to eliminate social and economic disparities in society. In legal decisions, judges consider relevant social and economic aspects, so as to provide protection and justice to all individuals, regardless of their social, economic or cultural background. Apart from that, progressive law also plays a role in creating social welfare. By paying attention to social and economic aspects in legal decisions, it is hoped that better justice can be created and society can feel the benefits of a fair legal system. Realizing justice and community welfare also involves active community participation in the process of making legal policies. Through this participation, the public can provide their input and opinions regarding the legal problems they face, so that the resulting legal policies can be more responsive to the needs and aspirations of the community. Thus, through the implementation of progressive law, it is hoped that better justice can be achieved and improve the welfare of society as a whole. This will have a positive impact on social stability, economic growth and harmony between citizens.

The prospect of implementing progressive law in the context of Indonesian society in the industrial era 4.0 is becoming increasingly relevant because this era allows wider access to information and technology, and facilitates public participation in making legal policies. In the industrial era 4.0, where society has better access to information and online platforms, progressive legal principles such as justice, equality and prosperity can be more effectively disseminated and understood by society. Technology and increased connectivity enable citizens to participate in the legal policymaking process more easily, casting their voices on legal issues that affect them directly. Thus, the implementation of progressive law in the industrial era 4.0 can provide greater benefits for Indonesian society by creating a legal system that is more inclusive, pro-community interests, and responsive to various community aspirations. It also contributes to social stability, economic growth, and harmony between citizens, creating a more just and prosperous society.

Application of progressive law in law enforcement

Although the implementation of progressive law in Indonesia still requires greater efforts, court practice in Indonesia shows developments in the ways of implementing it (Andika, 2019). The application of progressive law in law enforcement involves several important aspects. First, progressive legal interpretation is a crucial foundation, where judges must be able to interpret the law by considering the current social, political and economic context, seeing the law as a tool to achieve justice and social welfare, and not just as a rigid rule. Second, fair and equitable law enforcement is important, where progressive law must ensure that every individual receives fair and equal treatment in the eyes
of the law, without any discrimination based on social, economic or cultural background. Third, judges must consider relevant social and economic aspects in legal decisions, to eliminate social and economic disparities in society. Fourth, community participation is a key element in implementing progressive law, where the community must be able to provide their input and opinions regarding the legal problems they face, so that the resulting legal policies are more responsive to their needs and aspirations. Fifth, progressive law also requires progressive legal changes, where laws must be able to adapt to social, political and economic changes in society, and the government and legislative institutions must play a role in creating laws that are progressive and responsive to the interests of society.

In the context of Indonesian society in the industrial era 4.0, the implementation of progressive laws is becoming increasingly relevant. Although challenges remain, developments in court practice indicate progress. Progressive law offers a much-needed framework to address the rapidly changing social, political and economic dynamics of this era. This starts with progressive legal interpretation, where judges must understand the law as a tool to achieve justice and social welfare, and take into account the current context. Furthermore, fair and equitable law enforcement must be the basis, eliminating discrimination and ensuring equal treatment in the eyes of the law. Social and economic aspects must be taken into account in legal decisions to reduce societal disparities, while community participation and progressive legal change are also key. In the industrial era 4.0, where technology and economic transformation are having a significant impact, progressive law can be an important foundation in ensuring that these changes benefit all levels of society and create a more just and prosperous society.

Progressive law as a reflection of the concept of the Pancasila Rule of Law

The progressive legal concept that positions law for humans is a reflection of the concept of the Pancasila Legal State, namely a legal state that creates prosperity, justice and happiness for society (Rahayu, 2021). The concept of progressive law which positions law for humans is a reflection of the concept of the Pancasila Rule of Law. The Pancasila Legal State is a state concept based on the principles of Pancasila, namely Belief in One Almighty God, Just and Civilized Humanity, Indonesian Unity, Democracy Led by Wisdom in Deliberation/Representation, and Social Justice for All Indonesian People. In the concept of the Pancasila Rule of Law, law has a very important role in achieving prosperity, justice and happiness in society. Law must function as a tool to protect basic human rights, guarantee justice, and create prosperity for all Indonesian people. Law must also be able to adapt to social, political and
economic changes in society. Laws must be able to accommodate the needs and aspirations of society and take into account the current social, political and economic context. In this way, progressive law can realize the welfare, justice and happiness of society in accordance with the principles of the Pancasila Rule of Law. The application of progressive law in law enforcement is also in line with the principles of Pancasila, such as social justice for all Indonesian people. Progressive laws can eliminate social and economic disparities in society, as well as ensure that every individual receives fair and equal treatment in the eyes of the law. In the end, the progressive legal concept which positions law for humans is an implementation of the Pancasila Rule of Law concept. It is hoped that the implementation of progressive law can realize welfare, justice and happiness of society in accordance with the principles of the Pancasila Rule of Law.

The concept of progressive law which bases law on the principles of the Pancasila Rule of Law, which emphasizes welfare, justice and happiness of society, is very relevant in the context of Indonesian society in the industrial era 4.0. In this era, rapid social and economic changes require laws that can adapt and respond quickly to society’s needs. Progressive law allows law to become an instrument that is more responsive to developments in technology, economics and social changes that occur. Through progressive legal interpretation, fair law enforcement, consideration of social and economic aspects in legal decisions, community participation, and progressive legal changes, Indonesian society can better face the challenges and opportunities offered by industry 4.0. Progressive laws are also in line with Pancasila principles, such as social justice, and can help reduce social and economic disparities in society, creating a more just and prosperous environment for all its citizens. Thus, the implementation of progressive law in the context of Indonesian society in the industrial era 4.0 can be an important instrument in achieving the goals of the Pancasila Rule of Law.

4. Conclusion

The implementation of progressive law in Indonesia in the last five years reflects complex dynamics. Legislative changes, such as changes to the Law on Population Administration, and Constitutional Court decisions, such as the decision on the right to freedom of information, reflect efforts to meet social needs and strengthen the protection of human rights. However, the implementation of progressive law is also faced with conflicts between aspects of culture, religion and human rights. For example, in the case of changes to Law no. 17 of 2016 concerning Amendments to Law no. 23 of 2006 concerning Population Administration, article 1 paragraph (1) Law no. 1 of 1974 concerning
Marriage which states that marriage is an inner and outer bond between a man and a woman, although controversial among LGBT activists and advocates, reflects the complexity of implementing progressive law in Indonesia as well as conflicts between aspects of culture, religion and human rights.

From the analysis of the cases described, it appears that the implementation of progressive law in Indonesia in the Industrial Era 4.0 faces a number of significant challenges. First, understanding and awareness of progressive law is still low among legal practitioners and the general public, which can hinder legal changes in line with the demands of the times. Second, the government’s consistency and the commitment of law enforcement agencies in implementing progressive laws need to be improved to avoid ambiguity in the legal direction taken by the government. Third, a slow justice system and complicated bureaucracy can be a serious obstacle to implementing progressive legal changes, so that reform of the justice system and bureaucracy becomes essential. Fourth, cultural challenges related to the values and culture of Indonesian society require inclusive dialogue to find the right balance between human rights and cultural values. Lastly, imbalances in regulations, such as in the case of the ITE Law, indicate the need for progressive and inclusive regulatory adjustments to address the legal challenges faced in the industrial era 4.0. In an effort to face all these challenges, progressive law has a key role in bridging the gap between the protection of human rights and the demands of society and technological developments in the Industrial Era 4.0. Close cooperation is needed between the government, legal practitioners and society in realizing dynamic, relevant and fair law for Indonesian society in an increasingly connected and sophisticated era.

Overall, the implementation of Progressive Law in Indonesia in the Industrial 4.0 era offers significant future prospects. The prospect of implementing Progressive Law in Indonesia, especially in the Industry 4.0 era which is currently underway, promises significant improvements in the legal system. The concept of progressive law which prioritizes justice, equality and social welfare has become a reflection of the principles of the Pancasila rule of law. In this context, progressive law becomes a very relevant foundation in responding to rapidly changing social, political and economic dynamics. The Industrial Era 4.0, with increasingly advanced technology, widespread access to information, and active community participation in the policy-making process, allows Progressive Law to become the main basis for implementing law in Indonesia. The implementation of progressive law has great potential to create a legal system that is inclusive, supports the interests of society, and is responsive to various aspirations of society. It also contributes to social stability, economic growth, and harmony between citizens, creating a more just and prosperous society.
Thus, Progressive Law has bright prospects in shaping a better future for Indonesian law.

References


Arif, M., Yasin al., (2019), Law Enforcement in a Progressive Legal Perspective, Faculty of Sharia and Law UIN Raden Intan, DOI https://doi.org/10.22437/ujh.2.1.169-192


Kiki Tanlim Wibison: Analysis of the Impact of Corruption on the Effectiveness of Law Enforcement: A Case Study in Police Science Studies in
Rahardjo, A. (2010), Progressive law enforcement, Jakarta : PT. Elex Media Komputindo., 2010
International Orthopedics, 44(8), 1461-1466. https://doi.org/10.1007/s00264-020-04615-9