



The Impact of Implementing Omnibus Law On The Industrial Revolution 4.0 in Indonesia

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Abstract. In the era of industrial revolution 4.0, the whole world is experiencing very rapid development. This industrial revolution was the driving force for the creation of globalization which influenced many aspects of life. The era of information technology places human life in the midst of rapid technological developments. Technological advances have also brought changes to the legal system in Indonesia. The Indonesian legal system follows the civil law legal system and has undergone adjustments to apply the existing legal system in countries that adhere to the common law legal system. This is clearly seen with the Omnibus Law which aims to simplify regulations to make it easier for business entities to apply for permits to open their businesses in Indonesia and increase investment in the country. Technological changes in the industrial revolution era have brought changes to the Indonesian legal system with the implementation of different legal systems to answer the challenges of this industrial era.

Keywords: Industrial Revolution 4.0, Globalization, Common Law System, and Omnibus Law.

INTRODUCTION

The impact of globalization itself has transformed the world in various different eras. There are at least four eras that emerged as a result of globalization itself. This era itself is called the era of the industrial revolution. Before the Industrial Revolution, England experienced an economic revolution that changed the country from an agricultural country to an industrial country. Then the industrial revolution occurred on a large scale and even spread to all countries. The revolution itself is divided into 4 stages, namely Revolution 1.0, Industrial Revolution 2.0, Revolution 3.0 and Revolution 4.0. Each era has its own causes and this also causes different changes in that era. In each era, innovations were created that focused on people's needs and comfort (Sunarto, 2020). Industrial Revolution 1.0 began with the emergence of the steam engine in England which made everything easier. Once the steam engine was discovered, almost all fields immediately implemented this technology. Thanks to this new innovation, all work that previously took a long time can now be completed in just a few days. This innovation also reduces the use of human and animal power. This does not cause significant unemployment but also encourages people to be more creative and want to develop. Thanks to the steam engine, work became faster and more efficient, income and income increased. The economic sector is also growing faster, creating further changes in the next era (Prasetyo & Trisyanti, 2018). The industrial revolution 2.0 started in the 19th century to the 20th century. This was made possible by the discovery of electricity. The discovery of

Received on March 10th, 2023; Accepted on April 02nd, 2024; Published on May 18th, 2024

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electricity made everything easier and even reduced production costs for many companies. On the other hand, this new innovation also helps companies easily create mass production lines without having to use a lot of human resources. Companies can reduce some of their workforce or start training them to increase their expertise in an area. The transition from the industrial revolution 2.0 era to the industrial revolution 3.0 not only brings new changes, but also represents the end of the industrial era and the emergence of the information age. This is characterized by the emergence of many information technologies and digital devices with automation functions. With this automation feature, machines that previously had to be operated by humans can now be controlled by computers. This also causes a lot of unemployment. But on the other hand, communication and information spread more quickly and their use actually makes life more efficient. Production levels increased again in the industrial sector, resulting in high income. The industrial revolution 4.0 has occurred, exploding with the discovery of the Internet of Things (IoT). Starting in Germany, this era is known as the digital revolution. This involves industries that will be directly connected to digital, meaning that these industries will be heavily involved with new technology. This brings many new influences in human life, where humans can easily find automatic machines or even robots around them. This allows people to live more comfortably and efficiently. This again increases productivity in most sectors, so that many developing countries become developed countries with their technology. Not much different from other countries, Indonesia is also heavily influenced by globalization, especially the Industrial Revolution 4.0 era. A lot of technology has entered Indonesia and made people more comfortable in living their daily lives. Starting from the many motorbike taxis and online taxis, to the emergence of vending machines in big cities. These changes While it provides benefits that help society, that does not mean there are no negative impacts (Amalia, 2021).

METHOD

This study uses a qualitative method. According to Koentjaraningrat (1993:89) qualitative research is research that provides a careful description of certain individuals or groups regarding the conditions and symptoms that occur.

RESULTS AND DISCUSSION

Legal theory continues to develop over time. If we look at history, ancient Greek society began to pay attention to the prohibitions of the gods as restrictions that regulated their lives. At that time, people's thinking was very attached to religion and the beliefs they adhered

to, so that many classical legal theories were rich in mystical and religious issues (Darusman & Wiyono, 2019). However, as time went by, ancient Greek society developed and established its own government, sparking new thinking about law. These new thoughts no longer only rely on the mystical beliefs and values that he adheres to, but also begin to merge with the logic of his own thinking. With this they began to focus on developing ideas in the fields of politics and public administration. This is where a basic form of legal system for running government begins to be formed, namely democracy. This era continued until the Roman Empire controlled Greece and began establishing government institutions. As we have explained, law begins to form a structure in society. This also causes the formation of a system that connects one law with other laws so that it becomes a unity in regulating social life. These legal systems, as we have explained, were created for one reason: to achieve the same goal. Of course, there is not just one legal system in the world and tends to be very diverse. It is true that law is a limitation that shapes the values that exist in society and each community group certainly has its own values. Riwanto (2016) believes that there are several legal systems that are commonly used in society today. Among them is the continental European legal system which is also called civil law. This legal system focuses on written administrative boundaries, where the authenticity of the law lies in what is written. Then there is the Anglo-Saxon legal system, also known as Common Law. This legal system focuses on unwritten law, where legal truth does not always lie in what is written but is based on evidence found during the trial of a case. Then there is the Islamic legal system whose legal basis is found in Islamic books, especially the Al-Quran and the Sunnah of the Prophet Muhammad SAW. Next is the socialist legal system which is based on communist ideology where the government regulates and distributes the rights and obligations of society. Here it is also explained that this legal system influences the development of existing laws in community groups. This is caused by at least three reasons. First, this legal system is the result of a historical process of values that exist in a social group. Social, cultural, political and many other values that have emerged throughout the history of society unite and become the basis of society's legal system. Second, this legal system is the foundation for the future legal development of society. Because this law is related to other laws, if this law undergoes changes, these changes will also have an impact on other laws that are still attached to the amended law. Third, the legal system will show characteristics of legal development if this development leads to practical or theoretical law, whether modern or conservative (Riwanto, 2016). This shows that legal development can only take place if there is a legal system that creates the law itself. That way, laws can develop by themselves because they are interconnected. Indonesia has experience as a pluralistic

country.

This diversity certainly really helps Indonesia build its own legal system. However, this does not mean that the current legal system is not a legal system that was formed by itself without going through any process. If you look closely, the Indonesian legal system has the character of a colonial country. The proof is the civil law system which is still in effect today. The development of technology and information also brings changes to existing laws and regulations in Indonesia. Even though the legal system itself has not had a significant impact, its constituent components have also experienced changes, especially the laws and regulations that apply in the field of community life. The penetration of globalization in the form of industrial revolution 4.0 is of and brings changes both in practical and theoretical applications. Technology and innovation will certainly bring Indonesian law to a level that is more reliable and comfortable to use in everyday life.

Realizing Indonesia's poor investment conditions in the economic context, economic development comes with digitalization, the Omnibus Law is a law that needs to be obeyed. implemented in Indonesia. According to Sofyan Djalil, Minister of Agriculture and Land, with a consolidated legal approach, the government and DPR are not obliged to change every law (UU) but simply create a new law that changes its provisions. many laws at the same time. very. This will improve and change existing regulations so that they do not become obstacles in the business world. The reason why investment aimed at strengthening the economy is not attractive in Indonesia is because of the current legal conditions, especially overlapping regulations and complicated bureaucracy. The Omnibus Law implemented in Indonesia certainly has a good aim in realizing the ideals of the Indonesian nation through improving the welfare of the Indonesian people and simplifying regulations. The aim of the Omnibus Law according to Ahmad Redi as the initiator of the Omnibus Law is as follows.

First, resolve conflicts related to legal provisions quickly, effectively and efficiently. In Indonesia, there are still many regulatory problems due to the ineffectiveness of regulations in Indonesia. For this reason, with the birth of the Omnibus Law, which is a regulation that covers various types of regulations, it is hoped that this regulation can be made fast, efficient and effective.

Second, harmonize government policies at the central and regional levels to support the investment environment so that people no longer worry about implementing good and correct policies. In this comprehensive law, it is hoped that conflicts can be resolved through the existence of appropriate, timely, effective and efficient legislation. Third, licensing management becomes more integrated, efficient and effective. President Jokowi's idea to

shorten licensing procedures is quite long and expensive. With this comprehensive law, it is hoped that it will simplify the licensing of business entities so that it can improve the investment environment in Indonesia. Fourth, there is the possibility of breaking the long-standing bureaucratic chain. Many entrepreneurs, including President Jokowi himself, have complained about the complexity of bureaucracy in obtaining permits. So, with the Omnibus Law which is expected to be integrated online through a one-stop system, it is hoped that this complicated bureaucracy can be avoided. Fifth, there is legal certainty and legal protection for policy makers in carrying out their activities. For example, regarding licensing, there are no overlapping regulations between related agencies and in the future Omnibus Law will implement an online licensing system that is integrated with a one-stop system. This can create legal certainty that allows economic actors to act without hesitation and makes it easier to apply for permits and obtain appropriate legal protection. The concept of general law is a new concept used in the Indonesian legal system. The Omnibus Law concept aims to eliminate a number of regulations that are no longer in accordance with current developments and are detrimental to the country. There are many regulations in Indonesia. It was even observed that in 2017, the number of regulations owned reached 42,000 (forty two thousand) regulations. The large number of regulations creates many problems so it is necessary to simplify the regulations with the concept of consolidated law. Thanks to this, laws will be issued that can improve many laws. Basically, collective law is a concept that essentially has nothing to do with the current legal system, but the nature of existing collective law makes this concept very suitable for use as a solution in building construction projects that develop legal regulations. The contents of the Job Creation Omnibus Law are simplification, business licensing, investment requirements, employment, business facilitation, research and innovation support, government management, implementation sanctions (elimination of criminal sanctions), land restoration, and facilitation of government and economic projects. zone. In implementing the Omnibus Law policy, changes need to be made first to Law no. 12 of 2011 regarding lawmaking.

Changes in the legal system that occurred with the Omnibus law concept also encountered challenges in its implementation. law. Some people argue that this comprehensive law cannot be enforced in countries with traditional civil law legal systems such as Indonesia, because this comprehensive law is traditional in countries with traditional civil law legal systems based on common law. w. The challenges in implementing the Omnibus Law are as follows. Indonesia has legal provisions regarding the formation of laws, especially Law Number 12 of 2011, which means that every form of statutory regulation refers

to the provisions of Law Number 12 of 2011. This can be an obstacle because the law does not explain it. . he. regarding the rules of the omnibus law concept. To create a unified model and strengthen the law, it is necessary to amend Law Number 12 of 2011 by adding the main provisions of the General Law to harmonize the uniformity and effectiveness of the use of the General Law in Indonesia.

CONCLUSION

Just because there has been a change in the law does not mean that the previous law was wrong or no longer relevant to today's society. However, these changes are only an indication of inclusion, improvement, maintenance and innovation. Legal development, especially written law, is carried out through mechanisms for the formation of better national laws, in accordance with the development needs and aspirations of society, especially based on Law Number 12 of 2011 concerning Legal Establishment. Legal provisions relate to the formation of legal regulations. With the promulgation of this law, the legal process in the process of formation and amendment will increase coordination and smoothness of the process of developing legislative regulations. Changes in the legal system due to current development needs can be seen with the existence of the Omnibus Law in Indonesia. This consolidation law is the law used by countries that adhere to the common law legal system. Regarding simplifying regulations and improving the investment environment, Indonesia as a country that adheres to a civil law legal system implements the Omnibus Law.

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