

*Research Article*

## **The Role of Legal Theory in the Era of Digital Globalization: A Perspective of Law Theory as a Tool of Social Engineering**

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### **ABSTRACT**

The background of this research begins with the fact that modern society follows an exponential pattern of life, where society develops rapidly, leading to a gap between the new lifestyle and the laws that govern it. This is due to the static nature of law and its relatively slow process of reform and adaptation in comparison to the rapid development of society. Based on this problem background, the aim of this study is to analyze the theoretical review of sociological jurisprudence theory in the context of law and society in the era of digital globalization and to analyze and examine the role of legal theory in social life in the digital globalization era, from the perspective of law theory as a tool of social engineering. The research method used in this study is qualitative, with a conceptual, analytical, and philosophical approach. The findings of the research indicate that, given the VUCA (Volatile, Uncertain, Complex, and Ambiguous) characteristics of society, there is a need for the embodiment of law as social engineering in the process of change, and law as social control is also required as a means of controlling social engineering. The conclusion drawn from this study is that the theory of social engineering is ineffective if a country has characteristics with a positivist approach to law. Therefore, a country's legal system must adopt a pluralistic approach to integrate aspects that go beyond just positive law.

**Keywords: Modern Society; Social Engineering Law; Social Control Law**

### **A. INTRODUCTION**

Society is a group of individuals who interact with one another. Humans, as social beings, require the presence of others to survive, which is why humans are also referred to as *zoon politicon* (Sumanto, 2019). In this gathering of humans, social interactions are created, enabling communication between individuals. A group of people who interact is called a community, which can then expand into a society. Of course, each society in every country has its own

characteristics and distinct features. In fact, upon closer examination, we can see that even within one country, cultural differences exist between regions. For example, in Indonesia, there are two main variants of society: traditional society and modern society (Muhammad, 2017).

The classification of the two types of society, as previously described, can be seen from the fact that traditional society has a common characteristic of always repeating its customs, which are difficult to change. From

these customs, it can be inferred that traditional societies tend to have a stable way of life (Nasution, 2017). In contrast, modern society exhibits the opposite trait, where customs are more likely to change, making its way of life more unstable. In reality, there are many other classifications of social societies, but this study focuses on analyzing the type of modern society. Modern society, of course, does not emerge spontaneously without a clear development process. When studying a society, it is also inseparable from the existence of law, as Cicero once stated, "Ubi Societas Ibi Ius," which can be interpreted as "where there is society, there is law." This concept has proven true across time, because if a society exists without law, chaos would ensue, leading to a legal vacuum that ultimately results in societal fragmentation (Soekanto, 1979).

Meuwissen stated that the development of law has two classifications: practical legal development and theoretical legal development. The focus of this research is on theoretical legal development, which refers to the reflective, theoretical discussion of law or intellectual activities aimed at understanding the law in a methodical, systematic, and rational manner (Sidharta, 2009). Meuwissen proposed that there are various disciplines within the development of theoretical law, ranked according to their level of abstraction. The lowest level is legal dogmatics, followed by legal theory, and at the highest level is the philosophy of law (Sidharta, 2009). This

study will examine the "theory of law" level, specifically focusing on the theory of law as a tool of social engineering found in sociological jurisprudence.

The theoretical framework in this research utilizes the theory of law as a tool of social engineering as a foundation for analyzing the existing issues. As a limitation or boundary in applying this theory, the theory of law as social control will also be employed. The discussion of these two theories is inseparable from law and society, and for this reason, the concept of living law by Eugen Ehrlich will also be applied.

As discussed earlier, the relationship between law and society can be understood as an intertwined dynamic. However, there is a problem in its application: the rapid development of modern society causes law to struggle to keep pace, leading to a gap between society and dynamic technologies. This results in the static nature of law being unable to regulate the many new technological advancements that are not yet addressed by legal frameworks (Bimantoro, Kamaruddin, & Arifai, 2024). Digital technology has deeply integrated into society's daily life, as it enables people to perform tasks efficiently across various fields. In fact, humans and technology represent a form of evolution with the potential to shape the future decades (Irawan et al., 2025). A practical example of how law struggles to keep up with the exponential growth of technology is the relationship between law and Artificial Intelligence (AI). Law and AI represent a key aspect of the

relationship between law and society, as humans increasingly use AI in various fields, including industry, healthcare, education, and others (Hijriani et al., 2025). A concrete example where law has yet to catch up with the advancements of modern society and AI technology is in the area of intellectual property law, where legal frameworks struggle to qualify ownership of works such as images, songs, and other creations that can be produced by both humans and AI (Sudirman et al., 2025). Copyright law, as outlined in regulations such as Law No. 28 of 2014, does not explicitly clarify who qualifies as the creator of works co-created with AI (Mayana et al., 2024).

Another example of the gap between law and technological advancements is the emergence of deepfake technology. In general, deepfake is a derivative application of AI, which can learn, modify, and transform videos, audios, and images into highly realistic representations. Typically, deepfake works by converting photos or videos into moving, speaking content, which can be edited according to the user's preferences (Diakopoulos & Johnson, 2021). At first glance, this application may seem useful and practical for facilitating certain tasks. However, in reality, deepfake technology is often used for cybercrime. One example of this is when deepfake was used to falsify statements during elections, in order to discredit or tarnish the reputation of individuals or politicians in the eyes of the public. A real-world example occurred when a video surfaced showing President Soeharto allegedly asking the public to

support the Golkar Party. Many people mistakenly believed the video was authentic, but it was, in fact, a modification created by deepfake technology (Rahman & Anggriawan, 2025). This presents a unique challenge, especially in terms of proof, as the victim might claim they did not make the statement shown in the modified video. However, because the modified video appears so "realistic," proving the truth becomes much more complex (Sandoval et al., 2024).

From these two cases of the gap between law and technology, it is evident that there are many instances where law is far behind in addressing the continuous exponential development of society and technology. Given this, the purpose of this research is to analyze and understand the theoretical study of sociological jurisprudence in the context of law and society in the era of digital globalization, and to identify and understand the role of legal theory in social life in the digital globalization era, analyzed from the perspective of law theory as a tool of social engineering.

Based on the issues and descriptions mentioned above, it is necessary to examine the novelty of this research in comparison to previous studies. The first study is an article titled "The Digital Transformation of Criminal Justice: A Comparative Examination of Indonesia's E-Court System and Global Best Practices" by Aristo Evandy A. Barliana et al., which discusses the delay in the use of technology, including AI, within Indonesia's criminal procedural law and criminal

courts. The research findings indicate that the law must keep pace with technological developments by creating regulations to provide a digital platform for conducting trials, including digital legal aid for remote areas (Barliana et al., 2025). The difference between this previous research and the present study lies in the scope and field of analysis. This research primarily focuses on legal theory and discusses practical law in applying a theory from the perspective of law as a tool of social engineering, while the previous study is more focused on criminal procedural law. The output produced will clearly differ between theoretical and technical research.

The next study is titled "Bridging Regulation and Reality: A Comparative Study of Artificial Intelligence Regulation in the Financial Sectors" by Andistya Pratama, Dwi Ratna Indri Hapsari, and Listiyani Wulandari. This study compares the legal regulations in the digital financial sector (fintech) in Singapore and Indonesia. The research concludes that Indonesia requires new financial regulations, drawing on the fintech implementation mechanisms used in Singapore. Indonesia must adopt AI to conduct audits, manage finances, and perform other financial tasks to maximize work efficiency and leverage modern technology (Pratama, Hapsari, & Wulandari, 2025). The difference between this research and the present study is that the previous study specifically examines the implementation of AI in digital finance, focusing on theoretical analysis that emphasizes the need

for the law to develop in response to technological advancements in finance. In contrast, the present study focuses on both theoretical and practical analysis of the static nature of law, which fails to keep up with societal and technological changes. This research will delve into theories that can drive the evolution of law to better align with technological advancements and societal progress.

The next study is titled "Artificial Intelligence Regulation on Labour Market: Comparative Perspectives on the European Union Artificial Intelligence Act in the Indonesian Context" by Rofi Aulia Rahman, which examines the EU's legal framework concerning AI and labor. The study argues that workers must be equipped with the skills to effectively use AI to ensure that AI does not replace human labor in the future. Instead, humans should control and operate AI. Indonesia, therefore, needs to create similar regulations to ensure that workers are not replaced by AI in the future, as society itself will control AI (Rahman, 2024). The difference between this research and the current study is that the former focuses on the future of employment and regulations aimed at enhancing human skills to control AI, while the present study focuses on the theoretical foundation of law, which must evolve to keep pace with the exponential development of society and technology, preventing law from falling behind.

In international-level research, there is an article titled "Legaltech and Lawtech: Global

Perspectives, Challenges, and Opportunities”. This research, conducted by Esther Salmerón-Manzano, primarily examines legaltech, which is the concept that legal assistance can be provided through the automation of systems using AI. In this earlier study, the researcher suggests that the law should open itself to technology so that law and technology can coexist and generate maximum effectiveness (Salmerón-Manzano, 2021). The difference between this previous study and the present research lies in the scope of the study. The earlier research is practically oriented towards modernizing the legal advocacy system by incorporating automation, which facilitates the legal process, whereas this research focuses on both theoretical and practical discussions of the theoretical reasons behind the law lagging behind society and modern technology.

The next international study is titled “Challenges for Legal Education in the Era of I.R. 4.0” by Ida Madieha Abdul Ghani Azmi. This research primarily focuses on the Fourth Industrial Revolution (IR 4.0), which is beginning to replace many social jobs, especially in the legal profession. As a result, the digital social change brought about by the Fourth Industrial Revolution must be accompanied by advanced legal education in decision-making, legal advice, mediation competencies, and other aspects, ensuring that the legal profession is not easily replaced by AI or robots in the digital social life (Azmi, 2020). The difference between this earlier research and the present study is that the former

examines the urgency of human resource competencies in the legal field to anticipate the potential threats posed by AI, which could replace human jobs in providing legal services. In contrast, the present study theoretically explores why law is lagging behind the exponentially evolving society and how to address this gap.

The previous studies mentioned above indicate that this research has a distinct focus, as the researcher aims to conduct a deeper analysis and examination on: 1) How the theoretical study of sociological jurisprudence applies in the context of law and society in the era of digital globalization; 2) How the role of legal theory in social life in the digital globalization era is analyzed from the perspective of law theory as a tool of social engineering.

## **B. RESEARCH METHODS**

The approach used in this research is a qualitative approach. Qualitative research has the following characteristics (Romlah, 2021): Qualitative research is based on the natural context of a whole (entity). The scientific ontology is grounded in the existence of reality as a whole, which cannot be understood if separated from its context; Theory formulation from the ground up, meaning that the results from the data collected will be reduced to create a specific focus, revealing the theory that emerges from this focused data; Data is descriptive, meaning that the content of the research will include data

quotes to provide a detailed presentation of the study.

The type of research approach used here is a literature study with a conceptual approach. The conceptual approach is used to analyze views and doctrines found in legal theory based on literature studies. An analytical approach will also be used to analyze legal materials, both primary and secondary, obtained during the research. The results of this analysis will serve as a tool to examine the social realities present in today's digital modern society. The next approach is a philosophical approach to analyze the sociological jurisprudence school of thought.

The data collection method is through documentation study and literature study, while the analytical technique used in this research is a descriptive-analytic juridical technique to find solutions to the existing problems.

## **C. RESULTS AND DISCUSSION**

### **1. The Theoretical Study of Sociological Jurisprudence in the Context of Law and Society in the Era of Digital Globalization**

Society cannot be separated from the law, which is a reality indicating that society needs the law. However, it is important to underline here that the law is made for humans, not humans being shaped by the law, as emphasized by Satjipto Rahardjo's adage, "law for humans, not humans for law." Before delving deeper into the theoretical study of sociological jurisprudence, it is essential to first identify the definition of

sociological jurisprudence. Sociological jurisprudence is a branch of legal discipline that focuses on the relationship between law and society, examining how law affects society and how society responds to the law imposed upon them (Aburaera & Muhadar, 2015).

The origins of sociological jurisprudence stem from a thesis of legal positivism and an antithesis to the historical school. On one hand, legal positivism posits that law is something that exists in the laws established by the authorities (emphasizing logic), while the historical school believes that law is a living reality within society, not derived from the regulations set by the authorities (emphasizing experience). These two opposing views (thesis and antithesis) result in a dialectical process. When examined practically, sociological jurisprudence falls within the theoretical discipline of law that is extrinsic in nature, meaning that it views law from an external aspect, specifically the social aspect (Wijayanti et al., 2025). Sociological jurisprudence represents a legal movement in the philosophical realm, which has produced several theories proposed by prominent figures.

The theories of these figures will be outlined to broaden the doctrinal study of legal discipline. The first is Eugen Ehrlich, known for his theory of living law. This theory primarily discusses the source and/or validity of law. Since Ehrlich's living law theory emerged as a critique of positivism, it asserts that law does not originate from the laws mandated by the sovereign

government, but rather, law grows within society and develops alongside it, or what is explicitly referred to as custom (Hernowo, Zaid, & Erawan, 2021). However, over time, Ehrlich eventually acknowledged that one of the instruments for applying the law is legislation. Therefore, this implies that regulations and public policies must evolve alongside society (Wardana, Rahayu, & Sukirno, 2024).

Roscoe Pound is considered one of the pioneers of the sociological jurisprudence movement, where he introduced his theory of law as a tool of social engineering. In this theory, he explained that the law must be capable of serving as a tool for social engineering to transform the social structure into one that aligns with the expectations of society (Yahdika, 2023). This theory can be illustrated by the analogy of an engineer building a structure: when preparing to construct a building, the engineer gathers all the necessary materials, and once the materials are prepared, the engineer considers the real-life circumstances to determine what additional elements are needed in the field (Maulidia et al., 2022). This analogy suggests that law enforcement should not rely solely on statutory laws (which are compared to building materials); rather, law enforcers must also consider factors outside the written law, such as social, economic, and cultural aspects.

The context of the role of legal theory in the era of digital globalization, particularly Roscoe Pound's theory of law as a tool of social

engineering, will serve as the analytical framework for this research to examine the legal issues that fail to keep up with the rapid changes in society. As previously outlined, the focus of this research is on modern society, which is inherently linked to evolutionary changes. It is inconceivable for society to transition directly into its current modern structure without undergoing a specific process. Evolution in societal development varies, but in this study, the researcher will present two types of societal evolution structures that are considered relevant and will be used for analyzing the role of legal theory in the era of digital globalization. Giafranco Poggi divides the evolution of societal structures into five stages, as follows (Rahardjo, 1991):

#### 1) Feudalism

Feudalism is the classical societal structure where relationships are simple, such as between the feudal lords (landowners) and serfs (peasants). The feudal lords hold high social power over the serfs, leading to an authoritarian control by the feudal class.

#### 2) *Standestaat*

In the *Standestaat* stage, social structures begin to be classified into social classes, such as merchants, nobles, and peasants, among others.

#### 3) Absolutism

Absolutism describes a societal condition governed by an absolute ruler who exercises control over all aspects of state life, tending toward authoritarianism. In this stage, society is

considered subjugated, with little to no freedom to act against the ruler.

#### 4) Civil Society

Civil society means that there is no longer a distinction between classes, and the divide between the “rulers” and “subjects” has been eliminated. This stage not only involves the liberation of social classes but also introduces the dominance of society, resulting from the inherent freedom of individuals. This transition may lead to a liberal society without boundaries (Wan Asrida & Hadi, 2021).

#### 5) Constitutional State

A constitutional state describes a social structure where all members of society are subject to a constitution established by the government through democracy, with a system of checks and balances that avoids authoritarian rule.

The depiction of societal structure evolution by Poggi above suggests that as society progresses toward a modern state (a constitutional state), the government plays an increasingly significant role in maintaining peace and order within society. From a social life perspective, the researcher examines the evolution from Society 1.0 to Society 5.0, as it relates to the legal and social issues to be discussed. Below is a brief outline of the development of social life patterns from Society 1.0 to Society 5.0 (Nur et al., 2023):

a) *Society 1.0 refers to the early modern society of its time, which, in the present day, is*

*viewed as primitive. In this stage, humans formed groups and engaged in hunting to meet their needs. They were nomadic and developed simple tools and technologies for hunting and survival.*

b) *Society 2.0, often referred to as the agricultural society, marks a shift where humans began to settle in specific areas and established kingdoms with more complex populations. Their way of life was based on cultivating land for farming and utilizing biodiversity.*

c) *Society 3.0 is often referred to as the industrial society, where the population increased drastically, and the basic needs for survival started to decrease. This led to the emergence of industrial jobs and the growth of the industrial sector.*

d) *Society 4.0 marks a stage where knowledge of information and technology advanced rapidly. Many aspects of life shifted from physical activities to online activities. These activities include the production, distribution, and consumption of goods, among other things.*

e) *Society 5.0 is known as the new society, where all physical or intellectual limitations of humans can be supported by AI (Artificial Intelligence). In this stage, the integration of real and virtual realities occurs, and society is characterized as “everything is practical” due to the assistance of AI.*



From the evolution of societal development, it can be inferred that society is currently in a transitional phase from Society 4.0 to Society 5.0, meaning that society has been in the digital era for a considerable period of time, and even those who are technologically illiterate are still familiar with digital technology (Irawati, Prananingtyas, & Wulan, 2023). From a narrow social perspective, this transitional period appears to be beneficial; however, from a legal perspective, it poses a unique set of challenges.

The theoretical foundation and the evolution of modern society, as outlined above, should have a synchronized relationship and progress in tandem. However, as time has progressed, the law has been unable to keep up with the evolutionary development of society (Shabrina & Putrijanti, 2022). Referring to Eugen Ehrlich's living law theory, law should live within society. If law cannot move or evolve with society, it will eventually fade away or become obsolete, and a life without law would lead to chaos (Jones, Thornton, & De Silva, 2025). An example of the living law theory in action, where the relationship between society and law is misaligned and cannot evolve together, is the current proliferation of AI-generated videos, developed by companies like Google with the Veo AI app and the deepfake app, which is based on the concept of Generative Adversarial Networks (GANs) (Nasution, Suteki, & Lumbanraja, 2025). The Veo AI and deepfake applications can create videos or short films where a person's face can act and speak as if

they were a real individual, yet Indonesia, specifically, lacks regulations on this issue (Latifiani et al., 2025). This becomes crucial because the use of the Veo AI app or similar deepfake applications, as mentioned earlier, is prone to misuse by unauthorized parties. For example, a hoax video involving Sandiaga Uno, the former Minister of Tourism of Indonesia, and Soeharto, the second president of Indonesia, spread on social media during the election, where the video falsely supported a legislative candidate (Silalahi, Natassya, & Evelina, 2024).

When examined from a legal perspective, there is no legal certainty regulating AI or generated videos in Indonesia or globally. Article 28, paragraph (1) of the Electronic Information and Transactions Law (UU ITE) states that, "Anyone intentionally and without rights spreads false and misleading information causing harm to consumers in electronic transactions." However, this article does not explicitly define the qualifications for "false information," and users of AI technology can exploit the ambiguity of this provision for misuse. This explicitly demonstrates that living law is not present in society because both society and the law (in this case, legal regulations) are not aligned; rather, they are disjointed.

Another case that illustrates the urgency of the law lagging behind modern society, which uses technology or AI in daily life, concerns copyright issues related to songs, images, and other works. In Indonesia, the Copyright Law or

Law No. 28 of 2014 only states that the owner of a creation is a human being. However, in reality, today, one can easily give a command or prompt to an AI application, and the AI will carry out any task as instructed. In such cases, where AI plays a larger role in creating works, it is unclear whether AI should be considered a creator of the work. This issue remains unresolved. Given these examples, a theoretical study of law as a tool of social engineering by Roscoe Pound is necessary as a foundation for transforming the existing issues. This will be examined more specifically in the next sub-chapter.

## **2. The Role of Legal Theory in Social Life in the Era of Digital Globalization Analyzed from the Perspective of Law as a Tool of Social Engineering Theor**

The theory of law as a tool of social engineering proposed by Roscoe Pound, along with the societal revolution outlined by Giafranco Poggi, sketches the idea that law has been slow to keep up with the primary needs of an increasingly modern society. Returning to the fundamental foundation of law and society, where the main principle is "where there is society, there is law," the discussion of societal development above illustrates that society has reached the type of society Poggi describes as a constitutional state. Additionally, society is in a transition phase from Society 4.0 to Society 5.0, with increasing indications that society has entered Society 5.0, as evidenced by the growing number of jobs requiring "intellectual intelligence" being replaced

by AI. Aside from the societal shift into the digital era, there is another aspect influencing this development globalization.

Globalization refers to the unification of political, economic, and social aspects across countries (Suprpto et al., 2023). McGrew states that globalization is a condition where various decisions, activities, and societal actions in one part of the world have impacts or implications for individuals and societies in other parts of the world (Zahid, 2019). From this definition, it can be said that globalization is one of the factors driving the rapid development of society. There is a concept known as the VUCA (Volatility, Uncertainty, Complexity, and Ambiguity) society, which emerges due to the rapid pace of societal change and can be linked to law and social dynamics, defined as follows (Soraya, Tias, & Ayu, 2022):

### *a. Volatility*

This element refers to the fact that society evolves at a rapid pace, and it is unpredictable when these developments will occur, whether in terms of technology or social aspects.

### *b. Uncertainty*

This element emphasizes uncertainty, meaning that the rapid emergence of developments cannot be predicted, which results in the inability of law to keep up with the changes taking place.

*c. Complexity*

This element signifies that due to the fast pace of social developments, various complex issues or problems arise.

*d. Ambiguity*

This refers to the ambiguity of legal decisions due to the many complex societal issues that emerge from the complexity of social changes.

From the VUCA concept above, it can be inferred that, ultimately, these various elements lead to the law's inability to encompass all the new innovations or developments in society. This is where the role of legal theory comes into play, particularly through one of the theories discussed earlier, which is the theory of law as a tool of social engineering. Fundamentally, law as a tool of social engineering aims to bring about change in the law to achieve a certain goal (the vision and mission of a country) that is applied to its society. The law must act as an agent of change or a pioneer in overcoming its lag behind the dynamic developments of society.

Satjipto Rahardjo once emphasized that in responding to the increasingly complex modern society, law should not only act as a controller of social order but also as a means to achieve the desired goals of society. In formulating the substance of a legal regulation, an analysis of the needs within society must be conducted first (Orlando, 2023). From what Satjipto Rahardjo has emphasized, it can be concluded that in responding to the rapidly evolving modern

society, there is a tension between law as social control and law as a tool to achieve desired objectives (law as social engineering).

From Satjipto Rahardjo's ideas, it can be analyzed in this "emergency" situation, where many issues in the digital technology era still lack legal frameworks, especially in the context of Society 5.0 (law and AI), which can be illustrated by the following problems:

- 1) If humans create a work together with AI, can AI also have intellectual property rights over that work?;
- 2) Should robots or AI be recognized as legitimate if they replace law enforcers, such as advocates, considering that legal assistance provided by robots or AI is often more detailed, easier, and generally less costly?;
- 3) Can robots be identified as legal subjects, given that robots now possess intellectual intelligence, replace many human jobs, and if they cause harm to humans, can they be sued?

Certainly, given the technological challenges in the digital era, the law must not remain static while society continues to evolve dynamically. From the researcher's perspective, through the lens of sociological jurisprudence as conceptualized by Pound and Satjipto Rahardjo, rather than opposing law as social control and law as a tool of social engineering, both theories should work in tandem. This means that, on one hand, the law functions as a tool of social control

to regulate the dynamic society, setting certain boundaries to prevent society from moving aimlessly or deviating significantly from Indonesia's ideology.

The theory of law as a tool of social engineering aims to continually adapt the law to ensure that various aspects remain under the control of law. Although it may be impossible to regulate all aspects in the era of digital globalization, at the very least, the law can provide certainty for some of the legal gaps, rather than leaving them unaddressed. The researcher also suggests that when a country faces difficulties in drafting regulations, and another country already has regulations in place that have been successfully applied, the country should look to the laws of other nations as a reference for developing its own legal framework.

In light of the above, it is clear that the role of legal theory in this study is to address social issues in the era of digital globalization using the theory of law as a tool of social engineering. From the perspective of state governance, to implement law as a tool of social engineering, positivistic traditions must be eliminated, particularly in the process of drafting regulations. Upon deeper examination, positivism has several characteristics, as follows:

#### 1) Law as Autonomous or Independent

The concept of law being autonomous or independent refers to law within a specific jurisdiction that does not seek to consider the laws of other jurisdictions. This narrow viewpoint

may limit the law's effectiveness. In contrast, in today's era, law is expected to be borderless, given the implications of globalization, as evidenced by the increasing need for international convention ratification.

#### 2) Law Separate from Non-Legal Aspects

A country that separates law from aspects outside the law will never achieve a comprehensive legal order. In the digital globalization era, law must engage with various aspects outside of the legal domain. In the context of this study, law must engage in dialectical interaction with social and technological aspects.

#### 3) Law as Monodisciplinary and Rigid

Monodisciplinary law has many drawbacks, as it leads to a narrow viewpoint, which inevitably results in poor legal substance, since it focuses solely on legal issues. Additionally, rigid law is understood as law created through long procedures and timelines, resulting in legal products that may not necessarily be effective in their implementation.

The analysis of legal positivism above indicates that law should not be positivistic, as continuing such a culture would ensure that the law cannot keep up with the dynamic changes in society. As previously mentioned, law must be multidisciplinary or multifaceted, leading to the theoretical concept of legal pluralism. Legal pluralism primarily aims to integrate state positivism, natural law, and social values. By integrating these three values, law becomes

multifaceted, addressing not only legal issues but also engaging in dialectical interaction with other aspects of society.

Roscoe Pound's theory of law as a tool of social engineering, as previously outlined, emphasizes that law should be oriented towards positive change and rejects the idea that law is static. With this perspective, the role of the theory of law as a tool of social engineering can be applied through actual legal changes and the implementation of laws and regulations to address legal gaps (Setyawan et al., 2025). For example, as discussed earlier, issues such as the misuse of AI-modified videos through deepfake technology and the unclear ownership of copyrights between humans and AI highlight the concrete efforts that can be derived from the theory of law as a tool of social engineering. The following examples illustrate practical efforts that can be suggested:

1) Revising or amending regulations related to the current issues. For example, in the case of AI-modified videos, the government should establish a specific body or institution to handle cases of AI misuse by unauthorized parties. This institution would require human resources certified in technology and AI fields, which would also create new job opportunities for society. Regarding copyright issues, it is suggested that when creating works with AI, human contribution should be present and proven with supporting documents stating that the work is a creation of a human. If humans

co-create works with AI, then the AI company has the right to be recognized as the creator of the work.

- 2) Providing socialization and spreading knowledge to the public to help them distinguish whether images, videos, or music are AI-generated or not, with the aim of educating society about the hoaxes circulating on social media (Finocchiario, 2024).
- 3) Conducting training or mandating AI education for all children and adolescents in Indonesia, with the intent of improving human resource competency so they are not replaced by AI but can control AI and technology in the future. This is necessary because, in light of the rapid technological advancements, mastering and utilizing AI has become an essential skill that all citizens in Indonesia must possess. This also underscores the role of law as social engineering to transform society's lifestyle by following the development of the times, as without law initiating this change, society would lack guidance in living, nation-building, and governance.
- 4) Emphasizing the need for contracts or agreements regarding human-AI relationships. This should be implemented in cases such as copyright issues, where the AI developers and users must establish agreements in creating works. This should be followed by improvements in the Copyright Law, expanding the definition of "creator" to include both humans and legal entities.

The solutions outlined above are just a few examples of the many actions that the state and government can take to address the legal lag behind societal and technological developments. Referring to the previous discussions, the theory of law as a tool of social engineering must be continuously implemented to reform outdated laws. Additionally, the concept of law as social control is necessary to maintain the competency of human resources to continue transforming existing laws, ensuring a balance between policies or regulations and the competencies of society in the application of law.

#### **D. CONCLUSION**

From the analysis, it can be concluded that the theory of law as a tool of social engineering, as one of the legal theories, can function as an agent of change to dynamically transform the law. Of course, law as a tool of social engineering cannot stand alone; this theory also requires the theoretical concept of law as social control to regulate the law being applied and to oversee society, ensuring that the laws created are obeyed. This theory cannot function if a country still adheres to a positivistic approach to law. Therefore, a country's legal system must adopt a pluralistic approach (legal pluralism) to integrate various aspects, not only focusing on positive law.

The suggestion from this research is that legal theory plays a significant role as an analytical tool for examining the entire legal phenomenon. Here, legal theory serves as the

foundation for a mindset that ensures the law in a country is not entirely static but must also be dynamic, following the development of society. The theory of law as a tool of social engineering, along with the theory of law as social control, can be used to guide legal thinking, ensuring that the law remains balanced in addressing the gap between static law and the dynamic society of the digital globalization era. According to the researcher, the theory of law as a tool of social engineering is suitable for analyzing and critiquing the movement of static law.

Law must be able to open itself to various aspects outside of the law, such as morality, justice, and the values that live within society. Especially in the era of digital globalization, the law must be shaped from multiple perspectives, in this case, the economic and digital aspects, given that society in the Society 5.0 era is highly dependent on information technology, which permeates nearly all aspects of life.

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