

## Disruption of the Legal Profession: A Manifestation of the *Ius Constituendum* Principle in the Digital Era of Society 5.0

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### Abstract

The legal profession is an honorable profession (*officium nobile*) that in carrying out its profession is under the protection of law, statutory regulations, and a code of ethics. Free and independent and not bound by a biocratic hierarchy. Given this reality, sometimes an advocate abuses his professional function, so that in society there is a perception that the legal profession defends the wrong and the work of the legal profession is not halal because the defense of the blind can reverse the state of the legal profession that will be associated with the digitalization era, where technological developments directly impact law firms, courts, police, prosecutors and other law enforcement agencies that will increasingly need many legal information engineers. It is evident in the presence of IT experts who also understand the law, which is expected to anticipate the potential negative impacts of electronic and internet use. Such expertise is also important for law enforcement institutions where they must be able to provide legal services that can help the public, the government and legislative bodies as regulators to see from a different perspective on developments in the world of law enforcement. Therefore, a joint effort is needed from all parties to seize opportunities and overcome these challenges. With strong collaboration and commitment, digital transformation can bring positive change to the legal world and improve the quality of legal services for the public. Disruption threatens the established legal profession, such as law firms, notaries, and courts. While previously the law seemed complicated for many laypeople, requiring legal counsel for those dealing with it, now artificial intelligence is available to solve various legal issues, eliminating the need for consultations with law firms.

**Keywords:** *Professional Disruption, Ius Constituendum, Society 5.0*

### INTRODUCTION

Technological progress keeps changing many parts of how people live. The latest stage of this change is called Era 5.0. This era is about combining smart technologies like artificial intelligence, the Internet of Things, big data, and automation in a way that works well with people's lives. Era 4.0 was all about moving things digitally. But Era 5.0 focuses more on people. It puts humans at the heart of technology, using these tools to support people, not to replace them [1].

In the legal world, this change brings both difficulties and chances for legal experts like judges, lawyers, prosecutors, notaries, and law professors. They need to not only understand the usual parts of the law but also learn to deal with new technology that affects how they work and provide legal help [2]. Using digital tools to manage legal data, AI to analyze cases, and online legal services is now a common part of the legal world. But this doesn't mean the basic values of the legal profession are no longer important. Values like honesty, integrity, social responsibility, and professional ethics are still the main reasons why the legal profession can be trusted and fair.

If these values are forgotten, the legal profession might lose the public's trust and could end up being involved in unclear and dishonest practices [3]. Besides dealing with the challenges of keeping up with technology and following professional standards, legal professionals must also find ways to help a society that is becoming more tech-savvy. It's important to find a good balance between new technology, ethical practices in law, and what's best for the public. This balance is crucial for the legal field to thrive in Era 5.0. Based on this, the study looks into how the legal profession is adapting to Era 5.0, how professional rules are being used, and what unique roles and contributions lawyers can play in society. By understanding these things better, the hope is that the legal profession can grow in a positive way and help ensure that law enforcement is fair, open, and up-to-date [4].

## **METHOD**

The research method I used in this journal is qualitative with a descriptive approach. I chose this method because the study isn't focused on numbers or statistical information, but instead looks closely at how the legal profession changes and uses its principles in the 5.0 Era [5]. Qualitative research lets you explore more deeply the opinions, experiences, and events happening in the legal field. It helps describe in detail the situations, features, and roles of the legal profession as it changes with the technology of the 5.0 Era [6].

## **RESULTS AND DISCUSSION**

Principles of the Legal Profession in the Digital Era. The legal profession encompasses various crucial roles in society, such as advocates, judges, prosecutors, notaries, and others, whose duty is to uphold law and justice. Each role within the legal profession has principles that professionals must adhere to to ensure that legal processes are conducted fairly, transparently, and in accordance with applicable laws. These principles include integrity, honesty, and a high level of social responsibility. The legal profession functions to protect individual rights, maintain public order, and ensure that justice is upheld to the fullest extent possible. The following are the principles of the legal profession [7].

1. The legal profession depends a lot on ethics and codes of conduct to keep the public confident in the legal system. Each group in the legal field, like lawyers, has rules they must follow when working with clients. These rules include keeping client information private, acting honestly, and avoiding situations where their personal interests might interfere with their job. They also need to stay away from any dishonest or illegal actions and make sure they don't take part in criminal behavior.
2. Commitment to Justice The main principle in the legal profession is a commitment to justice. Every legal professional, whether judge, prosecutor, or advocate, must act fairly and impartially. This justice includes respecting human rights, avoiding discrimination in the legal process, and ensuring that legal decisions are based on truth and valid evidence. Advocates, for example, have an obligation to provide legal advice that not only benefits the client but also adheres to the principles of justice in general.
3. Social Responsibility in the Legal Profession The legal profession has a significant social responsibility, as every decision it makes has the potential to impact the lives of many people. Legal professionals must ensure that their work not only benefits

clients but also contributes to social justice and the common good. This social responsibility includes ensuring that they play a role in building a just legal system, respecting individual rights, and educating the public about their rights [8].

4. Integrity and Honesty in the Legal Profession In the legal profession, integrity and honesty are crucial. A judge must make decisions based on the law and available evidence, not on external pressure or personal interests. Advocates must also maintain honesty in providing legal advice to clients and must avoid unethical practices, such as making unrealistic promises or jeopardizing client interests for personal gain. Legal professionals who act with integrity will maintain the reputation of the legal profession and public confidence in the justice system.

Legal professionals must follow certain important rules that help the legal system work well and support fairness. These rules include professional ethics, a strong belief in justice, taking responsibility for society, and being honest. Following these rules helps lawyers help their clients and also build a fair and respectful legal system. When lawyers always follow these rules, they can help make a better society and a stronger country.

The digital age has changed how the legal profession operates. Quick advancements in technology are altering how lawyers work and connect with their clients and the court system. Even as the work environment changes, basic values like ethics, honesty, and helping society stay important. The digital world presents both difficulties and chances for the legal field, like handling information, making justice available to more people, and using technology in court cases [9].

### **1. Professional Ethics and Data Security**

- In the digital era, one of the main challenges is maintaining the confidentiality of client data and information. Technology makes data management easier, but also creates the potential for leaks that can undermine the integrity of the legal profession. Therefore, the use of secure and regulatory-compliant systems is crucial in the legal profession. Technology must be leveraged to enhance client data protection, while legal practitioners need to continuously update their knowledge of data security and related regulations.
- The digital era: Legal professionals must utilize technologies such as encryption and secure digital platforms to ensure the protection of client data. In addition, understanding personal data protection regulations is also very important to maintain the ethics of the legal profession [10].

### **2. Commitment to Justice and Access to Information**

- The digital era allows wider and cheaper access to legal information. With online platforms, the public can access legal documents and related information more easily. This expands access to justice and transparency in the judicial system. Electronic court systems (e-courts) have been implemented in many countries, including Indonesia, to make it easier for the public to file cases online.
- Relationship with the Digital Era:
- This technology allows courts to process cases more quickly at a lower cost. Lawyers and judges can use this system to increase efficiency and transparency in case resolution.

### 3. Social Responsibility in the Digital Era

- The legal profession also has a significant social responsibility. As technology advances, problems such as the spread of hoaxes, cybercrime, and digital rights violations are becoming more frequent. Legal professionals must be prepared to deal with it in a way that is not only based on law, but also considers the social impact of technology.
- Relationship with the Digital Era: Legal professionals need to educate the public about their rights in the digital world and engage in policymaking that supports justice in the technological realm. This includes handling cases of cybercrime and the misuse of technology to harm others.

### 4. Integrity and Honesty in the Use of Technology

- Manipulation of evidence through technology is one of the major challenges in the legal profession. For example, digital evidence such as photos or videos can be manipulated using deepfake technology, which has the potential to undermine the integrity of the legal process. Therefore, legal professionals must have knowledge on how to assess the authenticity of digital evidence and prevent the misuse of technology in the legal process.
- Connection to the Digital Era: Honesty and integrity in assessing digital evidence are very important. Legal professionals must be skilled in verifying the authenticity of digital evidence and ensuring that the evidence used is not manipulated for the benefit of certain parties.

### Characteristics of the Legal Profession

Every legal professional is required to have strong moral values. According to Franz Magnis Suseno, in Achmad Asfi Burhanudin, there are five criteria for strong moral values for the personality of a legal professional, as follows.

1. Honesty Honesty is the main foundation in the legal profession. Without honesty, legal professionals will deny their professional mission, thus becoming hypocritical, cunning and full of deceit. The attitudes that exist in honesty are openness and naturalness.
2. Authenticity Authenticity that lives and shows oneself according to the authenticity of one's true personality. Authentic legal professional personality, as follows.
  - a) Not abusing authority
  - b) Not committing acts that demean dignity
  - c) Prioritizing the interests of clients
  - d) Having initiative and acting wisely on one's own, not merely waiting for superiors.
  - e. Not isolating oneself from social interactions These attitudes will show the authenticity of the legal profession and must be possessed in order to become a professional.
3. Responsible The legal profession must also have a responsible attitude in carrying out its duties. This means the following;
  - a) Willingness to do the best possible What tasks are included in the scope of

- the profession.
- b) Acting proportionally without distinguishing between paid and free cases.
  - c) Willing to provide accountability reports on the implementation of obligations both written and digital.
4. Moral Independence
- Moral independence that is not easily influenced or not easily following the moral views that occur around it. The legal profession must form its own judgment and stand its own ground. When viewed independently, it cannot be bought by the majority, is not influenced by considerations of profit and loss, and can adapt to moral and religious values.
5. Moral Courage
- Moral courage where loyalty to the voice of conscience states a willingness to bear the risk of conflict. This courage is like rejecting all forms of corruption, collusion, bribery, or extortion. Not only that, but also rejecting all forms of settlement through illegal backdoors.

### **Various Legal Professions and Their Contributions to Society in the Digital Era**

The digitalization era brings many changes in various fields, including the legal field. Various legal professions are also required to adapt and utilize technology to increase their contributions. The following are several types of legal professions and their contributions in the digitalization era:

1. Advocate/Lawyer Contribution:
  - a) Providing online legal consultations.
  - b) Representing clients in virtual trials.
  - c) Utilizing AI technology to analyze legal documents. expand\_more
  - d) Creating educational legal content on social media. exclamation
2. Notary Contribution:
  - a) Creating authentic deeds electronically. expand\_more
  - b) Providing e-notary services. expand\_more
  - c) Utilizing blockchain technology for document storage.
3. Judge Contribution:
  - a) Leading virtual trials.
  - b) Utilizing AI technology to help decide cases.
  - c) Increasing transparency and accessibility of court information.
4. Public Prosecutor Contribution:
  - a) Drafting electronic indictments.
  - b) Utilizing AI technology to analyze digital evidence.
  - c) Tracking and prosecuting cybercriminals.
5. Law Lecturer Contribution:
  - a) Teaching digital law courses.
  - b) Conducting research on law and technology.
  - c) Disseminating legal education to the public through digital platforms.
6. Legal Counsel/In-House Counsel Contribution:
  - a) Providing legal advice to companies related to technology.

- b) Assisting companies in creating privacy and data security policies.
  - c) Negotiating electronic contracts.
7. Paralegal Contribution:
- a) Conducting online legal research.
  - b) Assisting advocates in preparing legal documents.
  - c) Providing legal services to underprivileged communities through digital platforms.
8. Legal Consultant Contribution:
- a) Providing legal advice to companies and individuals related to various aspects of digital law.
  - b) Assisting companies in resolving online disputes.
  - c) Conducting digital law training for companies and organizations.
9. Mediator/Arbitrator Contribution:
- a) Resolving online disputes through mediation and arbitration.
  - b) Utilizing AI technology to help resolve disputes.
  - c) Increasing the efficiency and effectiveness of dispute resolution.
10. Technology Legal Expert Contributions:
- a) Providing expert analysis and opinions on law and technology.
  - b) Assisting the government in creating regulations related to technology.
  - c) Increasing public awareness of law and technology

### **The Relationship between Professions and the Legal Profession in the Digital Era**

#### **1. Increased Use of Technology**

Digital technology is now a key part of many jobs. Tools like AI, big data, and legal tech help workers do their jobs better and faster. For example, lawyers use AI to look through legal papers and find similar past cases. Notaries use online systems to make and approve legal documents. Paralegals use web-based databases to look up laws and write legal papers [11].

#### **2. The Emergence of New Professions**

The digital age has created new jobs in the legal field, like: Legal technology specialist, who knows how to develop and use legal technology. Data privacy lawyer, who works with rules and laws about protecting personal information. Cybersecurity lawyer, who deals with issues related to online security and digital crimes [12].

3. New Challenges and Opportunities The legal profession in the digital era faces several challenges, such as:

- Rapid technological development: Professionals must continuously learn and adapt to the latest technology.
- Cybersecurity threats: Data and information security are becoming increasingly important.
- Competition with AI: AI can replace some of the traditional tasks of the legal profession. However, the digital era also opens up new opportunities for the legal profession, such as:
- Easier access to information: Professionals can access legal information easily and quickly via the internet.
- Wider job opportunities: The demand for legal services in the digital technology sector is increasing.

## **The Contribution of the Legal Profession to Society in the Digital Age**

### **1. Challenges to the Legal Profession in the Current Era**

The legal profession today faces numerous challenges coming from various directions, particularly technological developments, globalization, and rapid regulatory changes. These challenges impact the way legal practitioners and the justice system itself work. With increasingly advanced technology, lawyers and other parties involved in the legal world must always be ready to adapt to remain relevant in their profession [13].

### **2. Developments in Digital Technology**

Along with the development of digital technology, the legal profession must face significant changes. The use of technology allows many legal processes that previously required lengthy procedures to now be conducted more quickly and efficiently. An example is the e-court system, which allows for online hearings, facilitates access to various documents, and reduces administrative errors. However, the biggest challenge is maintaining the security of client personal data, which is increasingly vulnerable to leaks through hacking or human error. Lawyers must learn how to protect client data digitally and understand the technology used in modern legal processes. According to Chitra Imelda et al, lawyers must comply with the rules regarding personal data protection stipulated in the latest law on personal data [14].

### **3. Globalization of Legal Practice.**

Globalization has a significant impact on the legal profession, with the growing influence of international law. This applies not only to lawyers working nationally but also to those engaged in international legal practice [15]. In many cases, especially those involving international trade, international law is crucial. Therefore, lawyers who wish to compete in the global market must have a deeper understanding of the laws of various countries and how international law applies. St. Laksanto Utomo explains that lawyers competent in international law will have significant opportunities in the global market [16].

### **4. Rapid Regulatory Changes.**

The law changes all the time as society and the world change. Whenever there are new rules or laws, lawyers have to adjust their work quickly. For instance, when a new Personal Data Protection Law was introduced, lawyers had to make sure they and their offices followed the rules to stay legal. Also, when government rules change, lawyers need to keep learning and updating their skills so they can give good advice to their clients. This shows the importance of being professional and ready to learn and change as needed [17]. This is discussed in research conducted by St. Laksanto Utomo, [18] which notes that rapidly evolving regulations require lawyers to keep up with these changes in order to continue providing appropriate legal services [19].

**5. Negative Challenges to the Legal Profession** Although many challenges arise from positive developments in the legal profession, there are also negative aspects that can damage the integrity and credibility of this profession. Some major problems faced are violations of professional ethics, media influence on the judicial process, and corrupt practices that still occur in several sectors [20].

**6. Violations of Professional Ethics** One of the major challenges in the legal profession is violations of professional ethics. Lawyers working in a stressful legal system often face the temptation to take shortcuts that are not in accordance with the code of ethics. For example, some lawyers try to manipulate evidence or collaborate with unauthorized parties to win cases. This

can certainly damage the image of the legal profession and create public distrust in the justice system. As explained in the journal "Disruption and the Future of the Legal Profession", ethical violations by lawyers can destroy the integrity of the legal profession as a whole [21].

## CONCLUSION

The legal field in Era 5.0 is going through big changes because of fast-moving technology. New tools like artificial intelligence, blockchain, big data, and automation are making legal work more efficient. These technologies help process legal information quickly, make court procedures smoother, and improve how legal documents are written. However, these changes also mean that legal professionals must keep up and learn new skills to stay relevant in their jobs. Now, besides knowing legal rules and theories, lawyers need to understand technology and the possible legal issues that come from using it. It's important to keep a good balance between using technology efficiently and following legal principles that support fairness and protect people's rights. While Era 5.0 offers many opportunities, it also brings challenges. One major issue is the ethical use of technology in law, like the risk of breaking privacy or manipulating data. So, there's a need to create stronger rules and ethical standards that keep up with these new technologies. In short, Era 5.0 brings both chances and difficulties for the legal world. By embracing technology while staying true to legal values, legal professionals can help build a modern, flexible legal system that supports justice. Only by combining tech innovation with a strong legal knowledge can the legal profession continue to make a positive impact as times change.

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