


# The Influence Of Legal Philosophy On The Dynamics Of Modern Law Formation (Case Study Of Students Of The Faculty Of Sharia And Law)

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Article Info	ABSTRACT
<b>Keywords:</b> Philosophy Of Law, Modern Law, Dynamics, Legal Views	The purpose of this study was to determine the influence of legal philosophy on the dynamics of modern law formation, with a focus on students of the Faculty of Sharia and Law. Philosophy of law as a discipline that studies the foundations and principles of law has an important role in shaping students' understanding and views of the law. This research applies quantitative methods, by distributing questionnaires to 100 students of the Faculty of Sharia and Law, State Islamic University of North Sumatra. The results of this study indicate that the regression coefficient value is 1.984 with a t value of 3.293 and a significance of 0.001 from the F test, namely the value of F count > F table, namely 11.435 > 3.09 and the Sig value < 0.05, then 0.001 < 0.05. So that the conclusion is obtained in the F test that Ha is Ha. So it is concluded in the F test that Ha3 is accepted and Ho3 is rejected. the regression coefficient of the legal philosophy variable (X) is 0.518, so that if the learning style variable decreases by 1%, if the variable is considered constant, the Dynamics of Modern Law Formation will increase by 0.521%. This study shows that the Adjusted R Square value is 0.770 or 77%. This means that the influence between the independent variables, namely the philosophy of law, is 77% while 23% is influenced by other factors that are not included in the regression model.
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## INTRODUCTION

The philosophical thinking that underpins traditional legal systems still plays an important role in the formation of modern legal systems (Abas et al., 2023; Faozi, 2018; Firdaus, Rato, & Setyawan, 2023). By analyzing the relationship between classical concepts and legal development, it is hoped that it can be understood how the legacy of legal philosophy remains relevant in the current legal context. In the context of social and policy changes, legal philosophy thinking contributes to overcoming contemporary challenges and problems (Abdullah, 2012; Salam et al., 2020; Solikin, 2012).

The development of philosophical science has a significant impact on various aspects, including the state. This is because countries try their best to advance science to create an organized, safe, peaceful, and prosperous society (Soepadmo, 2020). In this context, philosophy serves to develop scientific resources that can provide comprehensive knowledge

and policies, focusing on problem solving through the thinking of legal experts. The concept of legal philosophy emphasizes that the main foundation of legal philosophy in a country is very important as a guide for existing values and norms. These values and norms are reflected in a society that always has a variety of views of life, which is often referred to as community creativity (Suryatni, 2018).

Legal philosophy is one of the disciplines that studies the foundations, principles, and objectives of the existing legal system. In the context of modern legal formation, legal philosophy plays an important role in providing a framework of thought that underlies the creation and application of legal norms. The dynamics of modern legal formation cannot be separated from the influence of various philosophical thoughts that develop along with social, political and economic changes in society. The condition of modern law in this digitalization era certainly raises many polemics. There are many pros and cons related to legal rules that have begun to enter the digital world that limit human freedom in the modern world. In addition, along with the times, customary law began to be sidelined due to the emergence of new liberal ideologies that were considered more flexible for this era than customary law which was too binding on society (Sitorus & Dewi, 2023).

Legal philosophy is a discipline that studies the fundamentals, objectives, and principles of law from a philosophical perspective. In the context of modern legal formation, legal philosophy has a significant influence in determining how society views justice, norms, and values that need to be accommodated in a legal system. Along with the times, new challenges arise due to social, political, and technological changes that require the law to evolve and adapt.

Justice, the cornerstone of legal philosophy, is facing new challenges in the digital age. It changes the way people interact, transact and access information. With these fundamental changes, the legal system needs to adjust, especially when it comes to dispensing justice. Digitalization in the justice system can increase efficiency and transparency, but it can also be difficult for those who are not familiar with technology. Therefore, legal philosophy needs to develop a concept of "digital justice" that takes into account the unique aspects of human interaction in cyberspace (Asshiddiqie, 2018).

In the dynamics of modern law formation, various schools of thought in legal philosophy such as legal positivism, natural law, and legal realism provide different theoretical foundations in formulating and applying legal norms. For example, legal positivism, which emphasizes the importance of laws made by the authorities, contrasts with natural law, which asserts that laws should be rooted in universal moral values. The debate between these schools can provide insight into how law is formed, applied and interpreted in a complex and diverse society.

Thus, this paper will discuss in depth the influence of various schools of legal philosophy on the process and substance of modern legal formation. Through a comprehensive analysis, it is hoped that a clearer picture can be obtained of the relationship between legal theory and practice, as well as its implications for the development of society and civilization.

## METHOD

This research applies quantitative methods. According to Waruwu, (2023) quantitative research is a process for obtaining knowledge by utilizing numerical data as an analytical tool. The purpose of this research is to investigate social phenomena and issues related to humans. In addition, this research is also understood as a strategy to explore meaning, understanding, concepts, characteristics, symptoms, symbols, and descriptions related to a phenomenon. This approach focuses on the use of various methods and is carried out naturally and holistically, with an emphasis on quality aspects. Research results are presented in narrative form in an academic context (Sidiq, Choiri, & Mujahidin, 2019). The characteristics of quantitative research are influenced by a positivistic approach that allows empirical measurement and testing. This approach is characterized by the use of numbers, presentation of data in tables or graphs, application of hypotheses, and the use of research instruments that can be tested statistically. Quantitative research is organized systematically from the start, with data in the form of exact numbers collected through instruments, and an emphasis on statistical analysis. Each data is presented with statistical numbers that can be measured and tested using SPSS 23, involving a total of 100 respondents from sharia and law faculty students at North Sumatra State Islamic University.

## RESULTS AND DISCUSSION

### Multiple Linear Regression Test

Regression analysis aims to explain the mathematical relationship between the dependent variable (Y) and the independent variable (X). Multiple linear regression tests are used to verify the truth of the hypotheses proposed in the study.

**Table 1.** Multiple Linear Regression Test Results

Model	Coefficients <sup>a</sup>			t	Sig.
	Unstandardized Coefficients		Standardized Coefficients		
	B	Std. Error	Beta		
(Constant)					
1 Gaya Mengajar	98.589	3.273		6.475	.000
	.521	.087	.335	3.396	.001

a. Dependent Variable: dinamika pembentukan hukum modern

$$Y = 98,589 + 0,521 + e$$

The constant value of 98.589 states that if all the independent variables of teaching style have a constant value of 0, the value of the dependent variable, namely student involvement, is 98.589. The regression coefficient value of the student learning style variable (X) is 0.521, so that if the Legal Philosophy variable decreases by 1%, if the variable is considered constant, the Dynamics of Modern Law Formation will increase by 0.521%.

### Partial Test (t Test)

The t test is conducted to determine individually whether the independent variable has a significant effect on the dependent variable at a significance level of 0.05 (5%), assuming that the independent variable is considered constant. The criteria for accepting or rejecting a hypothesis is determined based on the comparison between the t value and t table and the significance value (sig).

**Table 2.** Partial Test Results (t Test)  
Coefficients<sup>a</sup>

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)					
1 Gaya Mengajar	98.589	3.273		6.475	.000
	.521	.087	.335	3.396	.001

a. Dependent Variable: dinamika pembentukan hukum modern

Based on the t test results table, the regression coefficient value is obtained as follows t value of 3.293 and a significance of 0.001. This value shows that the teacher's teaching style has a positive and significant relationship to student involvement in physical education learning. That is, every increase in teacher teaching style by one unit, student involvement increases by 1.984 units. Sig value. 0.001 (<0.05) indicates that this relationship is statistically significant.

### Simultaneous Test (F Test)

The F test is used to measure the extent to which a number of independent variables simultaneously affect the dependent variable.

**Table 3.** Simultaneous Test Results (F Test)  
ANOVA<sup>a</sup>

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	245.423	1	255.423	11.535	.001 <sup>b</sup>
	Residual	2075.019	98	21.266		
	Total	2290.439	99			

a. Dependent Variable: Dinamika Pembentukan Hukum Modern

b. Predictors: (Constant), Filsafat Hukum

In the table above, the test results from the F test are the value of F count > F table, namely 11.435 > 3.09 and the Sig value < 0.05, namely 0.001 < 0.05. This shows that the regression model used as a whole is significant in explaining the Effect of Legal Philosophy on the Dynamics of Modern Law Formation. In other words, this model is able to explain the Dynamics of Modern Law Formation quite well, although not entirely.

### Test Coefficient of Determination (R<sup>2</sup>)

The coefficient of determination (R<sup>2</sup>) describes the extent of the relationship between the dependent variable and the independent variable, as well as the extent to which the independent variable contributes to the influence on the dependent variable. The following are the results of the (R<sup>2</sup>) test.

**Table 4.** Test Results of the Coefficient of Determination (R<sup>2</sup>)

Model	Model Summary <sup>b</sup>			Std. Error of the Estimate
	R	R Square	Adjusted R Square	
1	.326 <sup>a</sup>	.104	.077	4.615

a. Predictors: (Constant), Filsafat Hukum

b. Dependent Variable: dinamika pembentukan hukum modern

The research above shows that the Adjusted R Square value is 0.770 or 77%. This means that the influence between the independent variables, namely the philosophy of law, is 77% while 23% is influenced by other factors not included in the regression model.

### The Influence of Legal Philosophy on the Dynamics of Modern Law Formation

Based on the research results of the t test, the regression coefficient value is 1.984 with a calculated t value of 3.293 and a significance of 0.001. This value shows that the philosophy of law has a positive and significant influence on the Dynamics of Modern Law Formation at the faculty of sharia and law, North Sumatra State Islamic University. In this research, it was found that the results of simultaneous testing results with the F test showed that the Effect of Legal Philosophy on the Dynamics of Modern Law Formation with the acquisition of testing from the F test, namely the value of F count > F table, namely 11.435 > 3.09 and Sig value < 0.05, then 0.001 < 0.05. So it is concluded in the F test that Ha<sub>3</sub> is accepted and Ho<sub>3</sub> is rejected, therefore, together they have a significant effect. the regression coefficient of the legal philosophy variable (X) is 0.518, so that if the learning style variable decreases by 1%, if the variable is considered constant, the Dynamics of Modern Law Formation will increase by 0.521%. This study shows that the Adjusted R Square value is 0.770 or 77%. This means that the influence between the independent variables, namely the philosophy of law, is 77% while 23% is influenced by other factors that are not included in the regression model.

The results of research on the Influence of Legal Philosophy on the Dynamics of Modern Law Formation in the Faculty of Sharia and Law show that there is a significant influence between the two variables, this study confirms the importance of the influence of legal philosophy on the dynamics of modern law formation. The influence of legal philosophy on the dynamics of modern law formation is very significant for students of the Faculty of Sharia and Law. With a strong theoretical understanding, the ability to criticize existing norms, and contributions in formulating new regulations, students have an important role as agents of change in society. Through practical experience and active involvement in the legislative process, they become not only competent legal professionals but also defenders of social justice and human rights.

The digital age has brought about significant transformations in everyday life, including in the field of law. Advances in information technology, such as artificial intelligence (AI) and

big data, are creating new ways of understanding and applying law. In this context, the question arises as to how the philosophy of law can survive in the midst of current technological developments and digitalization. It is important to emphasize the need for a philosophical approach in dealing with ethical issues raised by artificial intelligence, such as accountability and transparency in the legal decision-making process (Floridi, 2019).

Modern law is currently applied in people's daily lives for a short period of time. Changes in people's lives today encourage the formation of new regulations that can adjust to modern life. Legal philosophy emphasizes the importance of ethics in legal practice. In the digital context, issues such as data privacy, cybersecurity, and technological responsibility become very important. Digitalization can expand access to legal information, but it also has the potential to create new gaps. Legal philosophy needs to rise to this challenge by thinking of ways that all levels of society can achieve justice in the digital age. Law is coercive, regulating, and dynamic, therefore it must evolve with the changes in society (Friedman, 1990).

Social transformation in society and national development are closely intertwined, as seen in many developing countries, including Indonesia. Effective national development can promote the strengthening of an active and consistent social system. Conversely, changes in society can also affect the smoothness of the expected national development process. The relationship between change and development can be understood as a form of interrelationship based on the aspirations of the state to bring society towards predetermined goals. The role of the legal system is crucial to the success of a country's national development. If the legal mechanism experiences obstacles, then efforts to improve various aspects of life and the process of developing the government system in order to achieve national goals will not be achieved. In particular, the legal system functions to provide certainty that supports the achievement of national development (Subeitan, Purwadi, & Alhabsyi, 2022). This example is in line with Friedman's opinion that law is an important phenomenon in human civilization that can fundamentally change structures related to policy, philosophy, and political theory. Research on the legal system from the theoretical point of view of jurists explains how the law operates and is able to change the order of society (Friedman, 2009).

The characteristics of the modern legal system are influenced by globalization, in its broad reach, globalization has internationalized many aspects of the life of the nation and state. The existence of globalization in fact has an impact on the habit of digital world community relations, becoming borderless, the presence of a practical perspective in communication (paperless) and changing the social order drastically in a fast consistency. Globalization stimulates economic liberalization that binds many countries. According to Friedman, the existence of globalization and the development of technology and information led to the creation of a modern legal system that follows the economic relations between interconnected countries, making it easier for countries to be unlimited in conducting economic relations. Advances in technology and information have also become the gateway to the presence of a free market in the continuity of international business, which is the impact of the capitalism system. Liberalization and globalization have changed the order of national and international legal aspects (Faisal, 2016).

Sometimes, although the structural and substantive components of the law look good or even modern, this does not always result in optimal law enforcement outcomes. This happens because the culture of society often does not support the formal procedures that have been established (Kovalenko, Kovalenko, & Gubareva, 2018). Law enforcement always interacts and is interrelated with its social environment. To achieve the set goals, the implementation of law enforcement needs to involve various forces in society, including social, political, economic, and cultural forces.

The Relationship between Legal Philosophy and Positive Legal Science. The development of legal science begins with legal philosophy, which provides a deep foundation of thought, followed by legal dogmatics (positive legal science) which focuses more on the technical application of law. These two fields have clear differences. Philosophy of law is speculative and theoretical, while the science of positive law is more technical and practical. To bridge this difference, legal theory serves as a link. Legal theory, formerly known as general legal doctrine (*algemene rechtsleer*), encompasses legal principles as well as general issues that are relevant across different legal systems. It provides a conceptual framework that enables integration between legal philosophy and positive legal science. As stated by (Hadjon & Djamiati, 2009), legal dogmatics, legal theory, and legal philosophy must be directed towards legal practices that make a real contribution to creating justice. Thus, legal philosophy not only serves as a theoretical guide, but also as a normative basis for the development of laws that are responsive to the needs of society and oriented towards justice (Hadjon & Djatmiati, 2005).

In the dynamics of scientific development, the philosophy of law will continue to hold its scientific character as it has been known so far. However, transformation is a necessity to adapt to the needs of society in the future, especially in facing the digital era. As a branch of legal science, legal philosophy will be increasingly pragmatic, playing an active role in responding to challenges and opportunities arising from technological, social, and cultural developments. The future of legal philosophy cannot be separated from the framework of legal higher education, which is the main forum for its development and study. As a legal meta-theory, philosophy of law has the task of answering fundamental and marginal issues that cannot be resolved by positive legal science. Thus, legal philosophy becomes an important instrument in supporting the legitimacy of law and the fulfillment of the principles of justice in the prevailing legal system.

## CONCLUSION

Based on the research results of the t test, the regression coefficient value is 1.984 with a calculated t value of 3.293 and a significance of 0.001. This value shows that the philosophy of law has a positive and significant influence on the Dynamics of Modern Law Formation at the faculty of sharia and law, North Sumatra State Islamic University. In this research, it was found that the results of simultaneous testing results with the F test showed that the Effect of Legal Philosophy on the Dynamics of Modern Law Formation with the acquisition of testing from the F test, namely the value of  $F_{count} > F_{table}$ , namely  $11.435 > 3.09$  and  $Sig\ value < 0.05$ , then  $0.001 < 0.05$ . So it is concluded in the F test that  $H_{a3}$  is accepted and  $H_{o3}$  is

rejected, therefore, together they have a significant effect. the regression coefficient of the legal philosophy variable (X) is 0.518, so that if the learning style variable decreases by 1%, if the variable is considered constant, the Dynamics of Modern Law Formation will increase by 0.521%. This study shows that the Adjusted R Square value is 0.770 or 77%. This means that the influence between the independent variables, namely the philosophy of law, is 77% while 23% is influenced by other factors not included in the regression model. The results of research on the influence of legal philosophy on the dynamics of modern law formation are very significant for students of the Faculty of Sharia and Law. With a strong theoretical understanding, the ability to criticize existing norms, and contributions in formulating new regulations, students have an important role as agents of change in society. Through practical experience and active involvement in the legislative process, they become not only competent legal professionals but also defenders of social justice and human rights.

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