



# The Influence of Social Symptoms in Society on Legal Development

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## **Abstract**

*Social changes that have been and are still going on have resulted in a new formulation and thinking about law and its relation to society. The interaction between law and society is a result of a law being passed. In society, they will not be separated from the social symptoms that will befall them. The existing social changes are a symptom that comes from the passing of the law. The interaction of law and society is a reciprocal effort between law and society, both individuals and groups. In the sociology of law it can be stated that all behavior that arises as a result of the existence of the law being enforced is the result of or the result of the application of the law in society. Social symptoms can arise due to deviations from the prevailing norms in society.*

**Keywords:** *Social Symptoms, Society, Law.*

## **1. Introduction**

Indonesia is the largest archipelago country in the world and also the country with the largest population in the Southeast Asia region. Conditions in Indonesia like this are of course many problems (problems) that occur, this problem is closely related to social relations in society. The definition of social problems is a dispute in society that is driven by social interactions between individuals, social interactions between individuals and groups, or between a group and another group. In normal circumstances, society will be integrated (united) in life in accordance with the relationship between elements of culture or society, but if these elements which have become social norms clash, it can be ascertained that social relations will be disrupted, thus allowing unsteadiness to occur in group life.

Social phenomena of society we often encounter along with the times, changes in society are increasing<sup>1</sup>. The social symptoms in society that we often see are economic, political, and legal problems. Social symptoms are the tangible results of social interactions that take place both between law and society and others.

In sociology, it will examine natural phenomena in society such as norms, social groups, social strata, social institutions, social processes, social and cultural changes.

Not all of these social phenomena do not occur normally as society wants them to. This is because of disappointment and suffering. Symptoms that are not normal can be called social problems, these social problems are closely related to social values which include moral values, because to be able to classify a problem as a social problem, an assessment must be used to measure it. Changes in the rule of law will result in social changes in society. Social change due to legal changes does not always take place in a joint situation,<sup>2</sup>.

This article will discuss about how the interaction between law and social phenomena in society and the influence of social phenomena in society on legal development.

## **2. Approach Method**

Writing aims to understand further about the interaction of law and social phenomena in society. Regarding the relationship between law and society, which synergizes to create a law that is good for all. Society is a real legal object that always accepts the rule of law. In writing this paper the author wants to describe the law and the results of the application of the law whether it is appropriate or even violates the rules that apply in society.

This article was prepared by studying written sources from books, journals, print and non-print media (internet).<sup>3</sup> And as an amplifier the writer uses various books to help strengthen the writing, and also various journals with the theme of sociology and the author also uses sources from the internet to compare the problems that are being worked on.

Analysis is an activity of organizing data that has been collected, data analysis activities can be in the form of organizing, sorting, and grouping. The analytical technique used by the author is to study descriptively, namely data processing by describing regularly the problem that is being discussed. This management leads to a clear explanation of legal interactions and social phenomena.

## **3. Result and Discussion**

### **3.1 The interaction between law and social phenomena in society.**

In life together, between individuals with one another there is a relationship in order to meet their needs. Through this relationship, the individual wants to convey the intentions, goals, and desires of each. To achieve this desire is usually manifested by action through reciprocal relationships, this relationship is called interaction. According to Gillin & Gillin (1954: 489) social interaction is a dynamic social relationship, involving the relationship between individuals, between groups and between individuals and groups. Interaction occurs when an individual takes action, causing reactions from other individuals, because of that interaction occurs in a social life. Interaction is basically a developmental cycle of social structures which is a

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dynamic aspect of social life. This development is a dynamic that grows out of different individual behavior patterns according to their respective situations and interests, which are manifested in the process of social relations. Initially, social relations were a process of adjusting social values in social life. Then it increases into a kind of association that is not just a physical meeting, but is an association characterized by mutual understanding of the intentions and goals of each party that occurs in the relationship. which he embodies in the process of social relations. Initially, social relations were a process of adjusting social values in social life. Then it increases into a kind of association that is not just a physical meeting, but is an association characterized by mutual understanding of the intentions and goals of each party that occurs in the relationship. which he embodies in the process of social relations. Initially, social relations were a process of adjusting social values in social life. Then it increases into a kind of association that is not just a physical meeting, but is an association characterized by mutual understanding of the intentions and goals of each party that occurs in the relationship. social. It is a natural law in individual life that his existence is as an individual as well as a social being.

The basic needs of individuals to carry out their lives require food, drink to maintain a stable body temperature and balance of other organs, (biological needs), individuals also need a feeling of calm from fear, isolation, anxiety, and various other psychological needs. The basic individual needs are also needed, namely the need to relate to other individuals, the need to continue descent, the need to make self-defense so as to avoid enemies, the need to learn culture from the environment so that its existence can be accepted or recognized by local community members.

In social life, every individual is bound by the social structures that exist in his society. Each social structure regulates the position of each individual in relation to the positions of other individuals who as a whole pay attention to certain features that exist from other social structures. The existence of positions that are regulated by the social structure demands and results in roles that are in accordance with the positions that each individual has.

Individual needs for other individuals encourage him to learn patterns, plans, and strategies for getting along with other individuals. Individuals also begin to learn to play a role in accordance with the status recognized by their social environment. Status can be divided into two parts, namely status that is obtained by itself (ascribed status) and status that is obtained by hard work or achieved status.

*Ascribed status* or automatic status is a status that an individual receives automatically from the time the individual is born, this usually occurs because of the position of his parents as respected or aristocrats. Achieved status or deliberate status is a status achieved by an individual through deliberate efforts, this can be seen in the effort to achieve ideals or the profession as a teacher, doctor and many others. Social interaction has a correlation or relationship with status, namely that status gives a form or pattern of interaction. Status is conceptualized as the position of an individual or group of individuals with respect to other groups or individuals, status recommends differences in dignity, which is an interpersonal recognition that always includes at least one individual,

In social interaction, there are factors that influence this interaction, namely the factors that determine the success or failure of the interaction. Factors that influence social interaction are as follows:

- a. Social situation
- b. Group norm power
- c. Each individual's personal goals
- d. Interaction is in accordance with the position and condition of each individual
- e. Interpretation of the situation

From the above factors, it can be explained as follows:

- a. Social situation, giving a form of behavior towards individuals who are in that situation. For example, when interacting with other individuals who are in a state of grief, the pattern of interaction that is carried out when in a cheerful or joyful situation, in this case, can be seen in the behavior of individuals who must be able to adapt to the situation at hand.
- b. The power of group norms greatly influences the occurrence of social interaction between individuals. For example, an individual who obeys the existing norms in each individual interaction will never make a mess, in contrast to an individual who does not obey the prevailing norms, that individual will inevitably cause chaos in his social life, and the power of the norm applies to all individuals in their social life.
- c. There is a personality goal that each individual has so that it affects the perpetrator. For example, in every individual interaction must have a purpose. This can be seen when a resident of the golden housing complex interacts with a trader, he has the goal of making ends meet.
- d. Each individual interacts according to his position and condition which is temporary. Basically, the status or position possessed by each individual is temporary in nature, for example a citizen who usually interacts with the RT head, then in this relationship there is a distance between a person who does not have a position that respects people who have a position in his social group.
- e. There is an interpretation of the situation, where every situation has meaning for each individual so that it influences the individual to see and interpret the situation. For example, if there is a friend who looks gloomy or bored, other individuals must be able to read the situation he is facing, and the other individual should not look happy and tell the story in front of him. However, individuals must be able to adjust to the situation at hand and try to help interpret unexpected situations into expected situations.

### **3.2 Pinfluence social symptoms in society on the development of law.**

Law is a rule that is formed through habit and popular feeling, namely through the secret operation of power. Law is rooted in human history, where its roots are animated by the consciousness, beliefs and habits of citizens. Traditional society recognizes that law is a norm or moral as a forum for creating order and directing the behavior of individuals and even groups of people. However, in a modern society that has developed customary law is no longer relevant. This is due to the fading of moral values in society, to regulate everything, other rules are needed which are not only based on individual interests, but also curb the freedom of both individuals and

groups in the form of coercion, sanctions or threats. That rule is what is known as the law.

According to Alan Hunt<sup>4</sup>The emergence of the Sociology movement in law must be seen from the context of several features of the West European nation and especially the United States of America which has formed a capitalist economic system, which has brought changes to the order of economic life in society. The political structure of Western society has also undergone changes; the emergence of political parties from the working class (workers' parties) also has consequences for fulfilling their demands. The occurrence of these changes creates pressures for the formation of a stronger political order and constantly expands the level of economic and social needs that are directly or potentially expressed radically or by revolutionary social change. One of the several demands that is quite advanced is for its institutionalization to go through a legislative process.

Social symptoms are social problems that affect and are caused by human behavior itself. Social problems concern social and moral values. This problem is a problem, because it involves immoral behavior, it is against the law and is corrupt.<sup>5</sup>Therefore, social problems will not be possible to analyze without considering the community's standards of what is considered good and what is considered bad. A social problem is a mismatch between elements of culture or society that endangers the life of a social group.

Social symptoms or social problems arise from deficiencies in humans or social groups that originate from economic, biological, biopsychological and cultural factors. Every society has norms or rules related to welfare, deviations from the above are an abnormal condition called a social problem. Social problems can be categorized into four types, including economic factors, including unemployment, poverty, etc. From biological factors is disease, from psychological factors arise problems such as neurological disease, suicide, etc. From cultural factors such as juvenile delinquency etc.

Several important social problems, there are several social problems that are considered important and often become an important concern in society, including:

a. Poverty

Poverty is a condition in which a person is no longer able to take care of himself. The poverty problem is a classic problem experienced by developing countries such as Indonesia. The main factor in the occurrence of poverty is education that is difficult to reach the middle and lower classes, lack of employment opportunities, resulting in chain effects such as unemployment and crime. Poverty sometimes darkens one's eyes and commits a crime to make ends meet. The view between the rich and the poor makes the distance between the two as if wealth is everything. Talking about property, we will recognize that economic motives are the reason someone makes social classes. Assets are a benchmark

for a person as a result of which the problem of poverty will continue and will never be resolved.

b. Crime

Crime is one of the domino effects arising from poverty. Apart from poverty, lack of education and lack of employment opportunities are the reasons people commit crimes. The decline in awareness of moral values is also the cause of people's lack of obedience to the law. Crime includes robbery, kidnapping, murder, rape and so on. Factors that influence social change or social symptoms Social symptoms occur due to several factors, including internal factors and external factors which are included in internal factors, among others<sup>6</sup> :

**1) New discoveries.**

New discoveries, especially in the field of technology, are a factor in social change and trigger significant legal changes. Such as the emergence of the Law on ITE. When the internet is very familiar with the public, an internet crime will occur then it is called cybercrime.

**2) Change in population**

The higher population growth also affects the social affairs that take place in the community. Conflict (conflict) in society Conflict in society is very influential in social change. Conflict will also cause the separation of community groups, as we know about the events in Poso and so on. Many people will become victims in this incident. Social change can also occur due to factors outside of society, and this is what is called external factors, including:

- a. The Tsunami that hit Nanggroe Aceh Darussalam at the end of 2004 is an example of a natural disaster causing social change.

The destruction of physical infrastructure and the death of hundreds of thousands of people in Aceh inevitably causes many social aspects to change, ranging from social structures, collective habits, and social institutions.

- b. War

Wars carried out between countries can trigger social change.

- c. The influence of other peoples' cultures.

The relationship between two communities tends to be reciprocal, meaning that each other accepts and influences each other. This influence in a later stage can lead to social change.

Various attempts have been made by humans to overcome social problems, various analyzes and methods have been applied. But without satisfying results. This is because social science in general has not been able to determine absolutely and with certainty. After all, the effect of solving social problems is not felt immediately, but over a long period of time. In overcoming social problems, it is not necessary to look solely at the sociological aspects, but also other aspects. So that cooperation is needed between social sciences in

particular to solve social problems. Changes in the rule of law will result in social change in society. Social change due to legal changes does not always take place in a joint situation,<sup>7</sup>

The abandonment of the rule of law will result in an imbalance, that is, a condition in which the old rules have faded away, while the new substitute rules have not been made. This situation can then lead to anomie, which is a chaotic situation, because there is no guideline for community members to measure their activities.<sup>8</sup>

The factor of being left behind by the rule of law has created various complex problems in social society, changes in society are usually preceded by the need for new rules in laws or rules that are no longer relevant. However, the change in the law concerned is not in accordance with the wishes or desires of the community or community group that pioneered the change in law. The relationship between social and legal phenomena is one of the important studies of the sociology of law discipline. The relationship or interaction is an interaction or reciprocal relationship, in the sense that there is an effect of social change on legal changes and on the other hand it will also affect social change.

#### 4. Conclusion

Thus it changes Law and social phenomenon are like sides of a coin that are difficult to separate, both interact with each other and have certain impacts. To analyze the impact there are at least two paradigms, namely:

- a. Law as a servant of the needs of society, so that the law is not left behind by the pace of change in society<sup>9</sup>.

The characteristics of this paradigm are:

- 1) Legal changes or social changes tend to be followed by other systems
- 2) because it is in a condition of interdependence.
- 3) Law always adapts to social change.
- 4) Law serves as a tool for serving social change in this Paradigm
- 5) also called the legal paradigm of needs adjustment.

The meaning contained in this is that the law will move quickly to adapt to the changes that occur.

- b. The law can create change in society or at least it can spur change - change. The characteristics of this paradigm are:

- 1) Law is a tool to manipulate society
- 2) Law is a tool to change society directly
- 3) Future-oriented law The essence of this paradigm is that law is created

to anticipate or face possible legal problems that may arise. It is predicted that legal issues will come with careful planning or preparation.

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