


The metaverse symbol of civilization transfer in the middle of digital economic hegemony: synthesis of progressive law of the post-modern era

O símbolo metaverso da transferência da civilização no meio da hegemonia económica digital: síntese da lei progressista da era pós-moderna

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ABSTRACT

For a long time people have been trying to understand the presence of avatars, non-fungible tokens or NFTs, cryptocurrencies, virtual lands, and more. A civilizational shift occurred. All digital products represent what has been in the real world into the *metaverse*. We can play, do business, worship, and more in this virtual parallel world. This change is arguably one of the levels of achievement of digital civilization. People can be present not only in the real world, but in parallel worlds that exist in the virtual universe. The problem that arises with the presence of avatars, NFT, crypto, virtual land, and others in the midst of the hegemony of the digital economy is whether progressive law in the post-modern era can: (1) ensure the direction of digital transformation can run according to the desired corridor in the midst of digital economic hegemony ; (2) paying attention to social elements such as culture and social conditions of society, although it is absolutely related to the use of digital technology, digital transformation is not only about technology; (3) accelerating the process of digital transformation is not impossible to create an increasingly polarized digital divide; and (4) ensuring that digital transformation does not have a counter-productive impact, but there must be a guarantee that it will not only benefit certain groups, while at the

same time marginalizing the existence of other groups. The world has now arrived at the progress of spiritual intelligence that breaks through the tradition of thinking that only relies on logic or linear thinking (Intellectual Quotient), even thinking with feelings (Emotional Quotient). Intuitive spiritual intelligence (Spiritual Quotient) will make a leap that does not exist in the workings of the intellectual quotient and emotional quotient. In contrast to machines that work according to rules, human life has many aspects that cannot be understood and captured by machines. The thesis obtained in this study, "*Civilization of the metaverse universe can coexist with the Covid-19 pandemic is not an impossibility but a necessity.*" In the end, the winners are those who can adapt. Those who accept a new perspective are more likely to survive.

Keywords: Universo Metaverso, Transferência de Civilização, Hegemonia da Economia Digital, Síntese Legal Progressiva, Pós-Modernidade.

RESUMO

Há muito tempo que as pessoas tentam compreender a presença de avatares, fichas não fungíveis ou NFTs, moedas criptográficas, terras virtuais, e muito mais. Ocorreu uma mudança civilizacional. Todos os produtos digitais representam o que tem estado no mundo real para o metaverso. Podemos jogar, fazer negócios, culto, e muito mais neste mundo virtual paralelo. Esta mudança é indiscutivelmente um dos níveis de realização da civilização digital. As pessoas podem estar presentes não só no mundo real, mas em mundos paralelos que existem no universo virtual. O problema que surge com a presença de avatares, NFT, criptografia, terra virtual, e outros no meio da hegemonia da economia digital é se a lei progressista na era pós-moderna pode: (1) assegurar que a direcção da transformação digital possa correr de acordo com o corredor desejado no meio da hegemonia económica digital; (2) prestar atenção a elementos sociais como a cultura e as condições sociais da sociedade, embora

esteja absolutamente relacionada com a utilização da tecnologia digital, a transformação digital não é apenas uma questão de tecnologia; (3) acelerar o processo de transformação digital não é impossível criar uma fractura digital cada vez mais polarizada; e (4) assegurar que a transformação digital não tenha um impacto contraproducente, mas deve haver uma garantia de que não só beneficiará certos grupos, ao mesmo tempo que marginalizará a existência de outros grupos. O mundo chegou agora ao progresso da inteligência espiritual que quebra a tradição do pensamento que se baseia apenas na lógica ou pensamento linear (Quociente Intelectual), mesmo pensando com sentimentos (Quociente Emocional). A inteligência espiritual intuitiva (Quociente Espiritual)

dará um salto que não existe no funcionamento do quociente intelectual e do quociente emocional. Em contraste com as máquinas que funcionam segundo regras, a vida humana tem muitos aspectos que não podem ser compreendidos e capturados pelas máquinas. A tese obtida neste estudo, "A civilização do universo metaverso pode coexistir com a pandemia de Covid-19 não é uma impossibilidade mas sim uma necessidade". No final, os vencedores são aqueles que conseguem adaptar-se. Aqueles que aceitam uma nova perspectiva têm mais probabilidades de sobreviver.

Palavras-chave: *Metaverse* Universe, Civilization Transfer, Digital Economy Hegemony, Progressive Legal Synthesis, Post-Modern.

1 INTRODUCTION

Human exploration into the *metaverse* realm or another world based on virtual technology, is progressing rapidly. Several months ago (around November 2021) after a number of companies began to announce that they would develop the other world, they are now competing to find workers to develop the technology.

They also invested heavily in the new realm. A number of funding institutions were formed. Earlier this week (February 2022) Facebook has announced that it will recruit 10,000 new employees in Europe to develop another world based on digital technology or the *metaverse*.

The tumult of the *metaverse* has also emerged in Indonesia. Some say that Indonesia has the opportunity to start developing the *metaverse* in the next 3-4 years. President Joko Widodo has also mentioned that the *metaverse* can be used for spiritual and virtual learning facilities.

CEO of Arutala, a virtual reality and augmented reality technology-based start-up. Indra Haryadi in a press release said, *Arutala has several missions ahead, including being a pioneer in developing metaverse innovation in Indonesia* (Andreas Maryoto, "Time to Enter the *Metaverse* Universe", *Kompas Daily*, 07 January 2022:13).

Metaverse is a world that goes beyond today's reality and is based on virtual worlds such as those on social media, equipped with various technologies such as Virtual Reality (VR) and Augmented Reality (AR) so that "humans" can be present.

The world is running fast, singer Justin Bieber has appeared on one of the *metaverse* platforms. The sale and purchase of virtual land has also been carried out.

The buzz that popped up at the start of this year turned out to be not just blurry news, but a number of companies actually followed through and rushed to build that other world. It is not surprising that in search engines, it is now easy for us to find types of investing in the *metaverse*, including investing in the capital market. Investors began to diligently peek and listen to gossip about the corporate actions of digital

companies that are suspected to be developing the *metaverse*. Several tech companies that are just getting to know this technology are also preparing to enter.

This situation is similar to what is happening in the financial industry in Indonesia today. A number of investors are waiting for the banking community to build a digital bank. As soon as the announcement appeared, the digital bank's shares immediately rose very high. People expect to keep the stock and will enjoy the benefits of rising stock prices in the future.

According to them, many investors claimed to be introduced to the keyword new technology when the CEO of Facebook Inc. Mark Zuckerberg recently said *his company's long-term vision is to build a metaverse. Metaverse may be a new term for investors, but the idea has been around for a long time.*

The concept of the *metaverse* is about the integrated virtual world or environment in which “people” live, work, and play. Investors are optimistic about the concept because even though it's like science fiction, much of the evidence of this fiction has come true, such as about self-driving cars, smartphones, or even the internet itself. At first they were all science fiction concepts at one point. Because of this belief, they bought up a number of technology company shares because they believed this concept would materialize.

The Morningstar page, which provides analysis of tech company stocks, states that the world of immersive technology is undergoing a seismic shift as new innovations rapidly transform the digital world we live in. One of them is the emergence of the *metaverse* which is touted by a number of circles as the future of the internet world.

In fact, they see the *metaverse* considered as the next invention in technology. They created another definition of *metaverse*, namely a colossal communal virtual world built on the intersection of virtual reality (VR) and augmented reality (AR). When realized, it's an immersive world where millions of users, or their avatars, can enter and exit a multitude of activities as they socialize, work and play in that other world.

They say the seeds of the *metaverse* have actually been around for decades. The Covid-19 pandemic and global quarantine have not only increased awareness of the term *metaverse*, but also accelerated its formation. The main key to the *metaverse* is actually the trend from face-to-face meetings and in-person socialization to online life, which over the past two years has been massive due to the pandemic. This state of affairs has accelerated the development of the *metaverse*.

The current situation causes people to understand the process in terms of how content is created and distributed. The state of consumers to participate in creating content and engaging in communication across all digital platforms is also accelerating the development of this other world. A blessing during a pandemic. *Metaverse* innovation and investment is no longer just a figment.

Although for a long time people have tried to understand the existence of avatars, non-fungible tokens (NFT), crypto, virtual land, and more. Now slowly everything can be digested. A civilizational shift occurred.

In the last few months, people have been fussing over non-fungible tokens (NFTs) or data units in the form of blockchain tokens. The reason is, Sultan Gustav Al-Ghozali, who is fondly called Ghozali, suddenly became popular in cyberspace. Through his Ghozali Everyday account, he sells selfies or selfies of himself as NFT.

There are 933 selfies taken every day by students of the Animation Program, Faculty of Computer Science, Dian Nuswantoro University, Semarang, in 2017 – 2018. These works are then sold at an NFT market place called OpenSea. As of Saturday (15/1/2022) morning, the NFT photo was owned by 471 accounts with a transaction value of 323 Ethereum or equivalent to Rp. 15.3 billion (*Kompas Daily*, January 16, 2022).

Through the NFT world, Melania Trump, the former First Lady of the United States, also marked her re-emergence in public. Melania entered an NFT in a collection titled Head of State Collection 2022 on January 11, exactly a year after she and her husband, Donald Trump, left the White House.

All these digital products increasingly explain the changes that are taking place. In the past, we didn't really understand the presence of avatars, NFT, crypto, virtual land, and so on. Everything seems separate and unconnected. It is natural that people then ask the benefits of all these products. Now we know that all of that will one day become "real" when the virtual world that is parallel to the real world today, namely the *metaverse*, is increasingly being realized.

All digital products represent what has been in the real world into the *metaverse*. Avatars will represent human figures, art products will be represented by NFT, currency will be represented by crypto, the land where we stand will appear as virtual land. We can play, do business, worship, and more in this virtual parallel world. This change can be said to be one of the peak achievements of digital civilization. People can be present not only in the real world, but in parallel worlds in the virtual universe. One of the predictions from an expert stated that in one day humans will be in the parallel world longer than in the real world today (*Kompas Daily Editorial*, January 17, 2022:06).

The transition that is happening is sure to create confusion. People also have doubts about new ways and systems. The situation was exactly when people began to shift from an agricultural civilization to an industrial civilization. Not a few people see the presence of the industry as a threat. They are not easy to accept new ways of working.

In the end, the winners are those who can adapt. Those who accept a new perspective are more likely to survive. Ghozali with his NFT is just one example of something that took some people by surprise. People can get money in a new way that is much different from the old way although we also have to understand the risks.

The problem that arises with the presence of avatars, NFT, crypto, virtual land, and others, in the midst of the hegemony of the digital economy is whether progressive law in the post-modern era can: (1) ensure the direction of digital transformation can run according to the desired corridor in the midst of

economic hegemony digital; (2) paying attention to social elements such as culture and social conditions of the community, although it is absolutely related to the use of digital technology, digital transformation is not only about technology; (3) accelerating the digital transformation process, it is not impossible to create an increasingly polarized digital divide, if it is not balanced with the preparation and development of community social capital in order to anticipate the possible impact of meritocratic policies; and (4) ensuring that digital transformation does not have a counter-productive impact, what is needed is a strong social foundation, even though digital talent development is needed, but there must be guarantees that it will not only benefit certain groups, especially when which in fact marginalizes the existence of other groups.

2 METHODS

The research for this paper can be broadly grouped into the realm of the socio-legal approach. The socio-legal approach by Wheeler and Thomas states that socio-legal studies basically go deep into the substance of the law as the law is written in a statutory regulation and others. Then, socio-legal also developed new methods as a result of the marriage between legal methods and social sciences such as socio-legal qualitative (Ziegert, 2005) and socio-legal ethnography (Flood, 2005). In addition, as done by Thomas Scheffer who uses actor network theory to describe the performance of judges and lawyers through micro-historical legal discourse (Scheffer, 2005). Anne Griffiths also did the same thing by using field research among the Bakwena community in Africa to explain the experience of "judging" the community in daily life and in responding to the ideas of Western Law (Sulistyowati Irianto, 2012:6). The legal figures above have given new nuances in examining legal issues with the help of social science, considering "*ubi societas ubi ius*," where there is a community there is law.

Reviewing the application of socio-legal studies carried out by legal figures (such as Wheeler, Thomas, Ziegert, Flood, Thomas Scheffer, and Anne Griffiths) to solve the legal problems faced has opened our eyes, that in fact the presence of socio-legal is a doorway. for branches of like-minded methodologies to continue to develop and be the answer to the deadlock of methods and ways of thinking to resolve legal problems.

The purpose of developing socio-legal is to provide a broader definition in achieving substantive justice. As we know, that in interpreting the law sometimes law enforcement officers, lecturers who are then transmitted to their students assume that the written law is the most correct like God. In fact, only by interpreting the law or other written regulations will close our eyes from the reality that is actually happening. Justice is one of the three basic legal values proposed by Gustav Radbruch (1973:263) who emphasizes that a good law must have three basic values, namely justice, legal certainty, and expediency. What actually confirms that the purpose of the existence of law is to achieve protected justice in the form of legal certainty, so as to provide benefits for the benefit of mankind.

3 RESULTS AND DISCUSSION

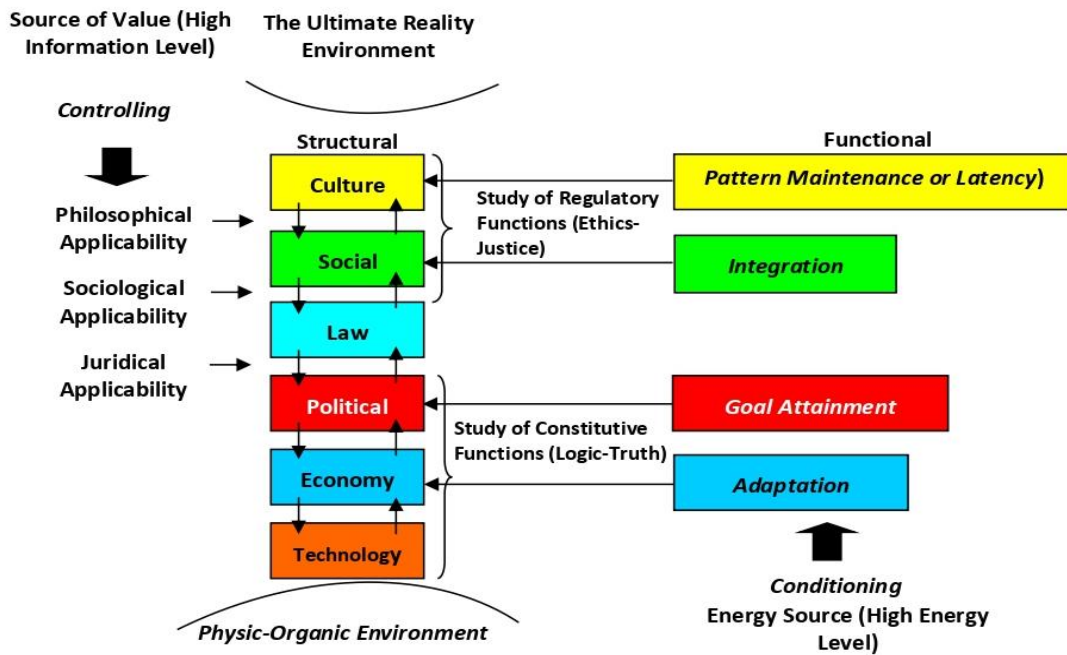
3.1 DIRECTION OF DIGITAL TRANSFORMATION

In this paper, the author uses the theory of cybernetic relations between systems from Talcott Parsons. Talcott Parsons theory is a complete description of human behavior with all its relationships. According to Parsons, individual behavior is not biological behavior, but must be viewed as structured behavior. A person's behavior must be placed within the framework of a broad social system which is divided into subsystems. In broad outline, individual behavior is limited by two basic environments, each of which is physical and ideal, namely the physical-organic environment and the ultimate reality environment. Between the two basic environments there is a subsystem which is a hierarchical unit, Parsons further said that “... *every society faces four subsystem problems: Adaptation, Goal attainment, Integration and Pattern maintenance or Latency (AGIL). The social subsystems associated with these four functional problems are, respectively, the economy, the polity, law, and religion*” (Evan, 1990:29), namely the cultural subsystem with the function of maintaining patterns; social subsystem with integration function; political subsystem with the function of achieving goals; and economic subsystems with the function of adapting.

The Parsons chart also shows a relationship called a cybernetic relationship. The cybernetic relationship between subsystems in society takes place through the process of information flow from subsystems with high information levels to subsystems with low information. On the other hand, flows from subsystems with low information levels also occur, which in this case is conditioned by subsystems with higher energy levels. Within the framework of these subsystems, law can enter into cultural subsystems and can enter into social subsystems. As a cultural subsystem, law maintains patterns, cultural values which are guidelines for individual behavior. As a social subsystem, law functions to integrate, regulate individual activities in meeting their needs, and prevent conflicts and other matters that interfere with the smooth running of social interactions and community productivity.

The following is an outline of Talcott Parsons' theory of cybernetics which has undergone the modification.

Figure 1: Cybernetic Relationships Between Systems and Structural Functional



Source: Modified from Talcott Parsons (1951, 1953); Neil Smelser (1956); and Satjipto Rahardjo (2014 : 133)

According to the cybernetic pattern, it can be stated that the relationship between the subsystems in society shows that the social subsystem in which the law is located is disciplined by subsystems that are richer in norms, namely the cultural subsystem and conditioned by the economic subsystem, and the more political subsystem. rich in energy. Based on the above description, it can be predicted that legal life will be influenced by the flow of information from culture, living law as well as ethical and religious aspects which are believed to have absolute reality of the truth. However, on the contrary, the law represented by the court is also influenced by political and economic considerations which were previously believed to have a very large impetus and can defeat moral, ethical and religious considerations (culture and ultimate reality).

Parsons (1951 & 1953) and Neil Smelser (1956) are sociologists who are able to explain the relationship between these factors (subsystems). However, Parsons' theory only limits these systems in four types, namely cultural, social, political, and economic. Each subsystem has a different primary function. The cultural subsystem serves to maintain the selected value system (latency). The social subsystem (including the law in it) functions to maintain order in social interaction (integration). Furthermore, the political subsystem sets goals and strategies for achieving (goal attainment), and the economic subsystem adapts so that the community can exist / survive (adaptation).

The cultural subsystem is the subsystem that is the richest in value, but the poorest in energy. At the opposite pole, the technology subsystem is the most energy-rich but value-poor subsystem. The cultural subsystem will transmit its values to the social subsystem. Thus the social subsystem takes the sources of its value, namely about everything that is believed to be the goodness of the cultural subsystem.

Furthermore, the social subsystem will control (stream those values to) the legal subsystem. In the framework of the formation of law, for example, the source of legal material is taken from these values in society. The legal subsystem will also provide values that have been accommodated in the political subsystem. This means that the political subsystem will work based on the law. The political subsystem then re-flows these values into the economic subsystem, so that the economic subsystem will act according to the direction (policy) of the political subsystem. In turn, the economic subsystem will control the technology subsystem. Technological progress will thus move with economic progress.

From the reverse angle flows energy currents. The technological subsystem is the most energy-rich, but at the same time poor in values. Karl Marx was the first thinker to reflect on the impact of this technology on human life. In his work entitled *Die Grundrisse* (first published in 1939), Marx already imagined how automation would be more widespread and that would mean that human labor would be replaced by machines. The belief in technology that could change everything was implemented by Lenin. He said that communism was Soviet power plus electrification. For the sake of building heavy industrial factories, Lenin (followed by his successor, Stalin) was willing to sacrifice the lives of millions of people (Franz Magnis-Suseno, 2005:26).

The technology subsystem is indeed capable of conditioning (flowing its energy into) the economic subsystem. This is evident in the case of the Soviet Union as mentioned, because in a short time the country was able to become the second largest industrial country in the world. It must be admitted that in this context, the Soviet Union was not an example of a successful experiment. However, the bankruptcy of the Soviet Union itself was caused more by a value crisis than an economic crisis (Francis Fukuyama, 2001). In the author's opinion, the collapse of the Soviet Union at that time, which was caused by a value crisis rather than an economic crisis, occurred in the *metaverse* universe, without any progressive legal transformation of the *metaverse* civilization itself in the post-modern era. As the author will demonstrate in this paper in *Exhibit 3: Roadmap and Master Plan for the Transformation of Progressive Laws on a "Metaverse" Civilization in the Post-Modern Era*, which is the result of the author's research (2022).

Western European countries which are classified as advanced today, basically make very large profits through the conquests of colonies during the colonialism period. Colonialism itself occurred thanks to technological support, such as navigation for ocean exploration, firearms, and information dissemination (printing machines). It is this continuous advantage in technology that is able to place the economies of these countries above those of their former colonies, despite the fact that the colonized countries that later became independent have enormous potential for natural resources.

The energy possessed by the economic subsystem will be channeled to the political subsystem. Wherever, a conducive economic subsystem always supports political stability. The centers of political power are generally controlled by the owners of capital or by those who have connections with the owners

of the capital. Political lobbies in all countries must be filled by those who have power in society, and the most effective power is from the holders of economic power.

Furthermore, the political subsystem will also provide energy to other subsystems, in this case the legal subsystem. Without political will, the legal subsystem cannot develop properly. No matter how well a draft law is drafted in the end, whether or not the draft is promulgated depends on the will of the political power holders. In this context, the view that the law is a political product is understandable.

In turn, the legal subsystem will also energize the social subsystem. As is well known, law can also function as a social engineering tool. With road traffic regulations, for example, people who are not orderly traffic can be directed to become more orderly. Another example is the existence of a staffing regulation that requires a superior's permission to remarry, so the tendency of employees to be polygamous can be reduced. Or, with the limitation of social security, the tendency to have more than two children is drastically reduced.

In the end, the social subsystem will also give energy to the cultural subsystem. Changes in social subsystems will automatically condition changes in cultural subsystems. Social values that believe "many children get more fortune" for example, can be eroded by the increasing number of people who want to have more than two children. Of course, compared to the speed with which the technological subsystem changes the economic subsystem, then the economic subsystem changes the political subsystem, and so on, the changes made by the social subsystem to the cultural subsystem will proceed much more slowly and gradually. The change in the cultural subsystem is a paradigm shift in thinking that sometimes takes several generations.

Thus, from the perspective of legal studies, each of these subsystems has its own function. The essence of the content of the law is morality. This essence must be tested from the aspect of truth and justice (*propter veritatem et justitiam*). This proverb means "For righteousness and justice." The truth of the law is the result of a study of constitutive functions and this is the task of the technological, economic, and political subsystems. Justice from law is the result of a study of regulatory functions carried out by cultural and social subsystems. The dimensions of truth and justice are then accommodated into the legal subsystem. The legal subsystem will determine these values (and principles) to be normal that can be applied in general.

The acceptance of the legal subsystem by the cultural subsystem together with the social subsystem will make the legal subsystem have philosophically enforceable power. This means that philosophical applicability requires the support of cultural subsystems and social subsystems. The acceptance of the legal subsystem by the social subsystem itself has given its sociological validity. The acceptance of the system by the political subsystem will make the legal subsystem have juridical validity.

In the digital transformation process, one of the keys that cannot be ignored is the development of people's digital talents (Rahma Sugiharti, "Digital Talent", *Kompas Daily*, January 24, 2022: 7). The

Indonesian government targets that by 2030 we have 9 million skilled digital talents who are ready to compete in an increasingly competitive global capitalism climate.

No less than the President of the Republic of Indonesia, Joko Widodo himself, who appealed to all big companies to support the young generation (millennials) to develop their competence in the digital world. This is an unavoidable prerequisite so as not to be left behind in the midst of the increasingly rapid development of the Industrial Revolution 4.0. Indonesia inevitably has to prepare digital talents who are able to fill the needs of the job market and the business world.

It is impossible for Indonesia to survive in a climate of global competition if it only relies on conventional skilled workers who do not master strong digital literacy. In contrast to the early development of capitalism (early capitalism), the sustainability of its business world still relies on ownership of capital and production facilities.

In this era of late capitalism, the key to success is up-to-date digital talent, who is able to take advantage of information technology and the advancement of the times as new skills and habitats according to the demands of the times.

According to Manuel Castells (2000), today the world is entering the information age where various advances in digital information technology have provided the material basis for the pervasive expansion of what he calls "networked forms of organization" in every state of social structure. The integration of the internet into the world of life has created a new form of social identity and inequality in society has made power a part of the current decentralization, as well as gave birth to new forms of social organization that rely on the power of information.

Castells (1996) further stated that in the era of the information revolution, apart from being marked by the development of extraordinarily sophisticated information technology, what he called virtual real culture emerged, namely a new socio-cultural system in which reality itself was fully embraced, completely immersed in a virtual image setting, in a fantasy world, in which the displays are not only on the screen where experiences are communicated, but they have become experiences themselves (Ritzer & Goodman, 2008:632).

People who originally interacted in a real and face-to-face space, with the presence of the internet, they can now interact with anyone online, without being limited by values and norms, so that among citizens who develop relationships in computer networks, they inevitably grow with their subculture. that is unique, which is different from conventional society.

The problem is, although the number of internet users continues to increase, it turns out that this is not followed by an increase in people's digital literacy and abilities. As is the case in Indonesia itself, according to the latest data, the number of internet users continues to increase. As of March 2021, the number of internet users in Indonesia was recorded at 212.2 million people. In 2017 the number of new internet users was 143.3 million people and in 2019 there were 196.7 million people. In 2021, the number

of internet users will continue to increase to reach 77.9 percent of the total population of Indonesia (Sugihartati, "Digital Talent", *Kompas Daily*, January 24, 2022: 7).

In connection with this, Paschal Preston in his book *Reshaping Communications, Technology, Information and Social Change* (2001) explained that since the 1970s, many things have happened and have changed in human communication life, especially with regard to the increasingly widespread use of information technology and mass media.

Changes that occur in society are not only related to issues of radical new technical innovations in the field of information and communication, such as the rapid development of the internet (world wide web) and its prospects as the front line in electronic commerce and digital multi-media services.

The changes that occur are not only a matter of the potential application of information technology and network systems which can easily be widespread or pervasive – which allows humans to use them, both at work and at home. Society in the post-industrial era, according to Preston, is not only facing a “seismic shift” in the nature of the available Special Instructional Objectives engineering infrastructure as we begin the new millennium.

What has happened in the last decade is, in fact, a major change in the way we think about the nature of the development of new technologies and their impact on the social, economic, legal and cultural order that has prevailed since the advancement of the era of industrial capitalism.

In the era of post-industrial society, computer technology and the systems it offers, and the presence of the internet that allows its users to explore space and time without limits, this according to Preston, then merges with conventional communication media technology which is massive. The phenomenon of the unification or combination of information and communication technology, mass media, and conventional communication media is what is often referred to as a media convergence process.

Preston (2001:27) says that *media convergence will have an impact on radical changes in the handling, provision, distribution, and processing of all forms of visual information, audio, text, data, and so on.*

Media convergence is the unification or incorporation of various mass media and information technology into a single device package that makes it easier for owners to access various information and shows. Media convergence is the integration of the functions of various media into one increasingly sophisticated media.

This media convergence appears not only driven by user needs for several technology functions, but is an implication of the accumulation of increasingly modern and widespread information technology developments (Sugihartati, "Digital Talent", *Kompas Daily*, January 24, 2022: 7).

The digital system, in the process of media convergence, is an important supporting factor. When any information develops from an analog format to a digital format, since then the possibility or opportunity to disseminate information that is increasingly massive and fast will be more open.

Digital is a technology related to the internet so with the development of media convergence, it will allow the merging of conventional telecommunications media with the internet which is a truly radical new energy.

The emergence of media convergence has in many ways changed the relationship between technology, industry, markets, lifestyles and audiences. In the realm of economy and business, the emergence of media convergence has changed the patterns of production and consumption relations, the use of which has a serious impact on various fields, including economics, politics, law, education, and culture (Sugihartati, "Digital Talent", Kompas Daily, January 24, 2022:7).

As we know, adaptation is the key word in the development of the digital economy in 2020-2021. The Covid-19 pandemic and mobility restrictions have driven this process, making consumers or producers hundreds of steps ahead in navigating the digital era. During this period, it is estimated that there will be an increase of 21 million new digital consumers in Indonesia, making the internet economy in Indonesia estimated to swell to 70 billion US dollars (Google, Temasek, Bain & Company, 2021).

Not only consumers, producers (traders) continue to transform following the existing digitalization trend. It is estimated that 32 percent of Indonesian businesses use digital platforms to drive sales during the Covid-19 pandemic. Business actors who do digitization earn 8 percent higher income than those who do not. The income of medium-scale businesses that use digital platforms is 18 percent higher than those that do not (Results of the author's research, 2022).

Adaptation is the first step. After this, Indonesia will enter the expansion phase. Efficient transaction costs caused by digital innovation, the collapse of market barriers, the convenience of the payment system, and the digitization of services make the digital market more vibrant and ultimately encourage the entry of various new players into this market.

The United Nations Conference on Trade and Development (UNCTD) (2019) divides the digital economy into three main layers. First, the core layer, namely technology (computers and telecommunications equipment) and infrastructure (internet and telecommunications networks). Second, the digital layer and information technology that gives rise to various technology applications or digital platforms. Third, the digitalization layer of the economic sector, where various goods and services in physical form are transformed into digital form.

These three layers form one large ecosystem called the digital economy. First, there will be rapid development at the core layer, namely the emergence of 5G technology. A study by the World Economic Forum (WEF) and PricewaterhouseCoopers (PwC) (2020), shows that globally 5G technology has the potential to create a value of 13.2 trillion US dollars by 2035 and 22.3 million jobs. As connection speeds increase (up to 10 Gbps) and downtime for devices to upload data (up to 1 ms), 5G opens up opportunities that can revitalize the economy. For the manufacturing sector, the presence of 5G can drive efficiency through fast and thorough production inspections with predictive intelligence. In addition, the security of

the workplace will be greatly improved with the help of drones technology (to map the area) or the internet of things.

Second, the application layer where innovation will accelerate as the 5G network develops. The development of financial technology will be the engine driving this rapid development. Based on research by Bain & Company and Facebook 2020, the value of digital payment transactions in Southeast Asia in 2020 reached 620 billion US dollars and is estimated to increase to 1,200 billion US dollars in 2025.

Adaptation of digital payments, such as the use of e-wallet, experienced a sharp acceleration in the era of the Covid-19 pandemic, where there was a shift from cash payments to digital. Research by Kantar Research shows that in Southeast Asian countries there was a 37 percent decrease in cash transactions during the Covid-19 pandemic, while digital transactions increased by 25 percent.

The integration of financial technology services will play an important role. Service integration has begun to be widely carried out by various financial technology companies, where one company has end-to-end services. For example, GoTo Financial, which has integrated multiple services, namely the payment system (Gopay), merchant (Moka), and payment gateway (Midtrans), so that it can no longer be considered as an e-wallet only. For companies, the integration of these services is necessary to promote efficiency and expand the financial ecosystem, which ultimately creates new market monetization opportunities (Muhammad Syarif Hidayatullah, “Digital Economy Direction 2022”, *Kompas Daily*, 17 January 2022:6).

In addition, the increasing number of financial technology innovations, such as PayLater issued by Traveloka, is expected to open up public access to financial services that have been unreachable by the public. The boundary between online and offline will become increasingly blurred, especially with the increasing prevalence of online to offline (O2O) services. The presence of O2O services can encourage Micro, Small and Medium Enterprises (MSMEs) to enjoy the advantages of the digital economy, where even though the store is still physical (offline), various transactions or company bookkeeping can be done online.

The presence of O2O services can reduce transaction costs which will eventually lead to MSME actors. MSMEs that adopted digital services (through GoTo Financial) experienced a 37 percent increase in turnover or equivalent to Rp. 53 trillion (LD-UI, 2021).

Third, the layer of digitizing goods and services. The advancement of the core layer through 5G technology means that more and more goods and services can be digitized. For example, PwC (2020) estimates that 5G technology can add value to the healthcare sector by 2030 to reach 530 billion US dollars.

5G technology opens the gate not only for the creation of new services for the health sector, but also for optimizing existing service processes. Real-time communication between patients and doctors, the more effective telemedicine, remote surgery to drug transportation are forms of implementation of 5G technology for health services. Better doctor-patient communication encourages service efficiency, results in higher health out-comes, which in turn can reduce the required hospitalization time.

Furthermore, the presence of 5G technology also improves consumer well-being. Such as for the transportation sector, which can deliver autonomous cars to technology that can monitor vehicle maintenance in real-time. Furthermore, this technology can provide a more personalized retail shopping experience, make it easier for consumers to find goods according to their needs (reducing search costs), and increase the convenience of remote shopping.

In the future, augmented reality has the potential to allow consumers to try on clothes virtually.

Of course, this is so that the digital economy can continue to be the right policy solution. When the policy is not right, there is the potential for mismatch to occur, it will be difficult for business actors to implement or increase compliance costs, which in turn can reduce the potential of the digital economy. To design the right policy, there are two things that must be considered.

First, the need to avoid the “one size fits all” policy pattern. Basically the digital economy consists of various business models, which carry out different economic functions, so that policies made need to take into account the diversity of these business models.

Second, policies need to pay attention to the capacity of digital economy actors. There are thousands of companies operating in the digital economy in Indonesia, most of which are relatively small in scale. Based on Bekraf's (2018) analysis, most of Indonesia's digital startups (85 percent) have an initial capital of Rp. 100 million. This means that they are still very sensitive to changes in the cost structure (Muhammad Syarif Hidayatullah, “Digital Economy Direction 2022”, *Kompas Daily*, January 17, 2022:6).

Policies that are too rigid have the potential to increase compliance costs which will burden the new company's financial structure.

Building a New Culture of Law

After we get the insights and materials for digital transformation, especially those related to the digital economy above, now we can more or less design a roadmap and master plan for the progressive legal transformation of the *metaverse* civilization in the post-modern era that we want. Initiating this change is not done by fiddling with digital regulations (rule-making) or text, but starting from changing the strategy of law enforcement, which involves human elements and roles.

After obtaining the above materials, in the work of designing the roadmap and master plan, we cannot rely solely on legal tactics or legal texts (digital regulations). If we depart from this strategy, the only thing that will be tampered with is the legislation (digital regulation) and the logic of its application.

On the other hand, if we involve human behavior and incorporate it into the strategy, then we will be faced with a very different field. We will not talk about digital regulation and logic alone, but with complex human behavior. Our credo is no longer “digital regulation and logic”, but “humanize the legal machine”. For example, we will dwell on how our justice system will include human beings such as

compassionate judges, prosecutors and advocates, who are full of concern for society, the people, and humanity (Rahardjo, 2010:76).

As we know, that modern law will always govern in the *metaverse* civilization which is generally used in the world, which is liberal in character and upholds individual independence.

Not all nations and countries in the world have the same cosmology as believed and used by the nations from which modern law originated. Modern law departs and is developed in an individualistic Western cosmology. Not all nations have such a cosmology. Nations in East Asia, such as China, Japan, Korea, Thailand, and Indonesia, have different world views and understand the place of individuals in different societies.

Eastern cosmology generally places individuals in society not in a fully independent position, but as an integral part of their society. Such a cosmology has consequences of great consequences in terms of its laws (digital regulation). How the nations in the East region of the world, who live collectively-communal, tell their laws, is very different from that of Western nations (V. Lee Hamilton & Joseph Sanders, 1992).

According to Hamilton and Sanders, the differences in the way nations govern start from cultural differences, "but culture and individuals differ in the grounds for seeking justice." Since these differences exist, the way the nations perceive and judge mistakes is also different and the two authors of the book "Everyday Justice – Responsibility and the Individual in Japan and the United States" suggest, "... to suggest a social cultural basis for how individuals or nations may come to differ in their judgments of wrongdoing."

The difference in the preference for litigation in the United States and the absence of it in the Japanese is due to the Japanese cultural tendency towards harmony. "*The litigiousness of Americans or harmoniousness of Japanese arises from the nature of the social relationships of the people involves – the textures of their life.*" This cultural tendency has a long tail to the ways of solving cases. "*In sum, Japanese dispute processing structures tend to minimize adversarialness and adjudication while supporting inquisitorial and non-adjudicative mechanisms.*" This way of litigation is in line with how Japanese cosmology places the individual in society. Japanese people are connected to each other, not separated. "*They parallel Japanese social structure in the sense that they tend to treat people as connected rather than separated, and to encourage solutions that minimize conflict and reduce the probability that relationships between disputants will be permanently severed by the dispute.*"

Almost the same description is also found in other books, which confirm, there is another world and cosmology outside the West and therefore also produces a different way of law. "*Chinese intellectuals ... have challenged the idea that the term 'human rights' can be universally understood in one single way and ... opposed attempts by Western countries to impose international standards on Asian countries ... Chinese ideas of human rights do indeed have distinctive characteristics.*" (Stephen C. Angle, 2002).

Meanwhile, criticizing the ways in which human rights are implemented in the world, An-Na'im said, that way places too much of one cultural tradition above others. " ... human rights are much more credible and thus stand a better chance of interpretation if they are perceived to be legitimate within the various cultural traditions of the world ... the current international standards of human rights, together with the machinery promoting and implementing them, may not be universal because they lack legitimacy in major cultural traditions" (Abdullah Ahmed An-Naim, 1992).

From the quotes from these books, it can be emphasized that the reality of the presence of different cosmologies and traditions requires careful attention and acknowledgment in writing down how nations will judge digitally (Rahardjo, 2010:78).

The harmonious nature of the Japanese nation ultimately affects how digital (modern) laws are implemented in the country. It is said that the Japanese prioritize *honne* (conscience) over *tatemae* (formal aspects) (L. Craig Parker, Jr., 1984). Japanese people will cry in their hearts when they have to deal with lawyers, because it proves the failure of Japanese settlement methods, while on the other hand Americans proudly say, "I want to see my lawyer first."

The Indonesian people are also not far from having an attitude like the Japanese, as well written by Daniel S. Lev in his book "Judicial Institutions and Legal Culture in Indonesia" (Lev, 1972:246-318). According to Lev, Indonesians prioritize harmony and maintaining good relations with other people rather than "immediately wanting to use the law." Lev was so surprised when, in 1950, his friend, a judge whom he considered to be a master of the law, advised him to maintain harmony and not make a fuss.

The discussion about cosmology in relation to law (digital regulation above) wants to be used as an introduction to contemplation of the legal culture of the Indonesian nation, including in the realm of the *metaverse* universe.

Differences in cosmology and traditions among the nations of the world which Rahardjo (2010:79) appointed as legitimators to initiate a new judicial culture in Indonesia. Since these differences exist, it would be unfair (fair) if the nations with different cosmologies were not given the same opportunity to develop their legal culture, according to and based on their respective traditions.

As explained earlier, the modern law commonly used by almost all countries in the world is liberal in character and upholds individual independence. Modern law has its roots in Western cosmology and is therefore individual-centered. Modern law is indeed designed to be a stronghold or bastion for individual independence and freedom, as appears in various principles, doctrines, and other features.

This type of law was indeed revolutionary in its time, namely in the 18th and 19th centuries, but in the course of time it actually shows many weaknesses and encourages systematic criticism. This has been done by a movement called the critical legal studies movement (Roberto Mangabeira Unger, 1986), which started from America in the 1970s, which means, in the liberal world itself, the liberal character has received quite sharp criticism. Unger said, "*The first concern has been the critique of formalism and objectivism ...*

formalism in this context is a commitment to, and therefore also a belief in the possibility of, a method of legal justification such contrasts with open-ended disputes about the basic terms of social life ... Such conflicts fall far short of the closely guarded canon of inference and argument that the formalist claims for legal analysis ... Objectivism is the belief that the authoritative legal materials – the system of statutes, cases, and accepted legal ideas – embody and sustain a defensible scheme of human association” (Unger, 1986).

The criticism mentioned above reminds us of the idea of Philippe Nonet and Philip Selznick (1978) to create a social science strategy as a tactic in law to be better able to deal with the social problems faced. The idea emerged, when United States law "collapsed", because it was unable to solve the new social problems that arose in the country in 1960. As Unger also said above, *legal solutions based on rigid schemes (rigid) which has been designed and established in advance in positive law, fails to solve the new and complex problems in the United States.*

The idea to build a new judicial culture is based on the desire to create a judicial system that is more in favor of the interests of the community. We have given time and opportunity to the liberal judiciary and now is the time to build the courts that Rahardjo (2005 and 2006) wants to call progressive justice and courts.

The opportunity given to the liberal-individualistic justice system has resulted in many failures in eradicating corruption. That is one of the reasons for proposing alternative ideas, in the form of progressive law and law enforcement. This type of law also starts from optics, that the law is not just a rule, but also human behavior.

Progressive law suggests that we dare to make a puncture and twist to the existing system by taking concrete intervention (affirmative action). This intervention is carried out by building a new judicial culture, which is more communal and effective (Rahardjo, 2010).

If in a liberal justice system, the law is used as a bastion (a stronghold or bulwark) to maintain individual independence, then in a progressive judiciary the law prioritizes the interests of the people and society, the concern is not placed on maintaining individual independence, but on "providing justice to the people."

In a somewhat revolutionary way the doctrine would put justice ahead of the law. In this connection, we can quote the words of former Supreme Court Justice Bismar Siregar (1996). *“If I sacrificed legal certainty to uphold justice, I would sacrifice the law. Law is only a means, justice is the goal, why is the goal sacrificed for the means? This is an example of a progressive judge.*

Liberal law which is the bastion of individual liberty, was built by making many walls to ensure the protection of that liberty. This is the main task of the judicial system in a liberal perspective and it is translated into legislation.

The new judicial culture that is in Rahardjo's mind (2010), is that it prioritizes justice (bringing justice to the people) rather than dwelling or insisting on the law or in Bismar Siregar's language, that is what is called "legal certainty."

In the context of the larger system, all elements and role holders in the judicial system need to combine an agreement of understanding and views, they are carrying out a big task, namely providing justice to the people. This culture is very different from liberal culture, where each element, especially judges and advocates, is installed to protect individual independence. It is appropriate, if in this new culture that was initiated, the role holders in the corruption justice system are likened to a team that goes to the battlefield with one victory, namely providing justice to the people (Rahardjo, 2010).

From the results of the research (2022), the author is aware of the existence of parties who consider the ideas outlined in this paper as abstract and ideal. This is not too worrying, because the author only wants to convey a thought that hopefully can arouse public attention to the existence of other alternative sides or possibilities of progressive legal transformation of the *metaverse* universe of the post-modern era.

Someone who thinks positivist-normatively-analytical will immediately reject the idea, because the current system and laws and regulations (digital regulation) do not allow the idea to be implemented. But if we start from progressive thoughts and attitudes, even within the limitations of the system, the idea is still possible to be realized.

To overcome and get out of the failure of today's *metaverse* civilization relatively quickly, we only rely on changes in the attitudes and mentality of the actors in the system. Changing laws and systems will take a very long time, maybe decades. These actors are progressive actors, who do not carry out their roles and duties from a machine called digital law enforcement in the post-modern era, but as humans who are full of passion and concern (compassion, empathy, sincerity, determination, and dare) to provide justice to society.

So, we don't need to wait for formal changes, because if we are all determined, then change can start right now.

Implementing the Law with Spiritual Intelligence (Spiritual Quotient)

Law is not isolated from other disciplines. The same is true of developments in legal science. Developments in other sciences have had or should have had an effect on the science of law. The presence of progressive law for a part is also inseparable from the state of the art in science. Progressive law sees that the presence and ideas he put forward are in accordance with developments in the world of science.

At the end of the 20th century, major changes occurred in the world of science. The atmosphere of great change, by Fritjof Capra (1982), is called a "turning point", a turning point in human civilization.

The scientific revolution occurred in the 17th century since Francis Bacon proposed a new method of inquiry, namely inductive. Together with Rene Descartes with the method of analytical reasoning, the

world of medieval thinking was radically changed in the 16th and 17th centuries, to enter a new century. The abandoned world is a world of thinking based on organic understanding, a living and spiritual universe, to a new world that sees nature as a machine. Nature rotates like a clock (spiritless clockwork universe) and is full of certainty and accuracy.

Descartes said, *“All science is certain, evident knowledge. We reject all knowledge which is merely probable and judge that only those things should be believed which are perfectly known and about which there can be no doubts”* (Capra, 1982).

After triumphing for several centuries, then in the 20th century the world of science was again shaken by the next radical change that ended the triumph of an era of science based on Baconian, Cartesian, and Newtonian thoughts.

Capra's thoughts can represent many minds in the world of science who see signs of the emergence of a new scientific civilization (Danah Zohar & Ian Marshall, 2000). These signs seem to be the abandonment of the old order of thinking and being replaced by a better one, even starting to talk about the end of modernism towards the post-modern era.

Starting from the crisis of thinking in physics (Newtonian), Capra observes, the crisis has spread to all fields. *“I have come to believe that today our society as a whole finds itself in a similar crisis...”* (Capra, 1982). Since 1970, Capra saw a dramatic change in concepts and ideas in the physical sciences that began in the first three decades of the 20th century. This new concept brought a major change in our view of the world, namely from Descartes' rational and Newtonian mechanistic concepts, towards a holistic and ecological view. According to Capra, this new development contains many similarities with mystical views in all ages and traditions. In his book, Capra favors Eastern thoughts a lot when faced with the West.

The world, universe, nature, mind, are no longer understood as a big machine as they were several centuries ago. Understanding is no longer through inductive methods and analytical reasoning, but holistic. *“Understanding is in essence holistic-an ability to grasp the overall context that links component parts. It is thus contextual understanding, we call it 'unitive thinking'...”* (Zohar & Marshall, 2000). Thinking that unifies it rejects science in the form of "cognitive science", which views the mind as a computer machine.

Certainty and order that has become the paradigm of science for several centuries that must accept the fact, it can no longer be maintained any longer. The theory of relativity and quantum theory exerted its presence and shook the mechanistic certainty of earlier physics. What was once considered revolutionary, namely by inductive-analytic thinking, is no longer a satisfactory way to understand and explain nature (the universe). Breaking up, dividing ("splitting-up problems into their smallest possible components") is actually left to be put back together ("put the pieces back together again"). This is what is now known as a holistic view, approach, and method.

The first sentence that begins their book "Order Out of Chaos", Ilya Prigogine and Isabella Stengers (1985) write, *we are now experiencing a total change in our understanding of nature (the universe). "Our vision of nature is under going a radical change toward the multiple, the temporal, and the complex". Today the world no longer appears as a great automation, but a plural world. Chaos and disorder are no longer seen solely as such, but a path to a new product of order and organization.*

In psychology there have also been very interesting developments, especially since the introduction of spiritual intelligence and spiritual quotient (Zohar & Marshall, 2000). These developments can be said to be in line with developments in the physical and chemical sciences.

There are three kinds of ways of thinking and three kinds of intelligence and all three are determined by the neural organization of the human brain (Zohar & Marshall, 2000).

One of these ways of organizing allows us to think rationally, logically, to think that is bound to rules (rule-bound thinking), known as Intellectual Quotient (IQ). The second type is thinking with emotion (emotive), namely associative, bound to behavior (habit-bound) and in the realm of certain patterns (pattern-recognizing). This is known as Emotional Quotient (EQ). The third kind of thinking allows us to be creative, full of insight into creating something (rule-making), as well as breaking down, breaking through (rule-breaking) something. The third thinking is known as Spiritual Quotient (SQ).

While criticizing Western thinking which is rational, logical, and bound by rules, Zohar & Marshall said that thinking is not only a matter of IQ but also thinking with feelings and body (EQ), as well as with conscience (spirit), visions, expectations (hopes), about the meaning (sense of meaning) and values (SQ).

Interesting for us, in relation to the discussion about the latest developments in science, is SQ, spiritual intelligence, or what Zohar and Marshall also dubbed ultimate intelligence. It is said to be interesting, because SQ is parallel to the understanding of scientific objects that are increasingly complex, not mechanical (the meaning of machining is to work like a machine; such as not using one's mind anymore; not wanting to deviate from what has been determined) and linear, but full of relativity and uncertainty. The SQ thinking model also shows the latter characteristics.

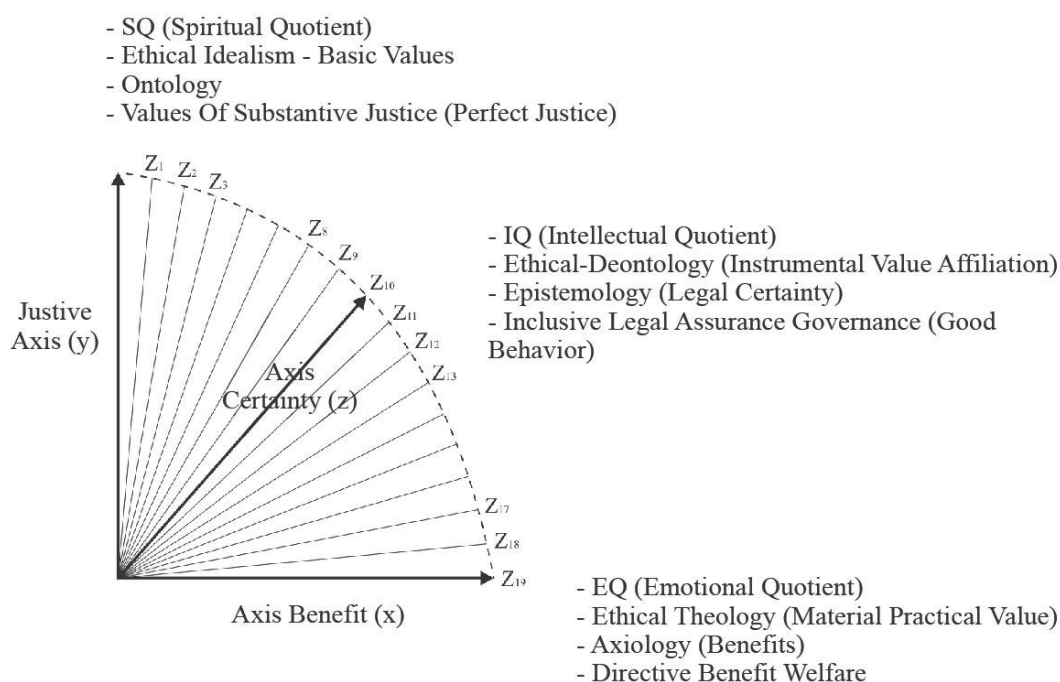
In contrast to machines that work according to rules, human life has many aspects that cannot be understood and captured by machines. These aspects are giving, capturing meaning (meaning giving), seeing in context (contextualizing) and transformative, namely intelligences that are summarized in spiritual intelligence. As we can see in ***Exhibit 2: Ontological, Epistemological, and Axiological Aspects of Rule-Breaking Progressive Law*** in this study.

An interesting problem in this research is the search for deeper legal meanings related to ontological, epistemological, and axiological aspects to carry out rule breaking, according to the characteristics of progressive law. Rule breaking can be divided into two camps, rule breaking as an idea (idealism) and as a reality (materialism). The dialectic of both shows an ontological syncretism between idealism and materialism, called dualism.

The epistemological aspect relates to the methodological steps taken during the rule breaking process. There are also two extreme points, namely intuitionism and empiricism.

The quarter circle scheme is formed by drawing two axis lines, vertical (y) and horizontal (x). The axis (y) reflects the ontological aspect of idealism, the epistemological aspect of intuitionism, and the axiological aspect of justice. Meanwhile, on the (x) axis, the ontological aspect is reflected in the form of materialism, the epistemological aspect in the form of empiricism, and the axiological aspect in the form of usefulness, as shown in the diagram below to explain the relationship between the three.

Figure 2: Ontological, Epistemological, and Axiological Aspects of Rule Breaking Progressive Law



Source: Adapted from Rahardjo (1985: 17); and Darji Darmodiharjo & Shidarta (1999: 58)

The attraction between the two axes moves the pendulum of the line in the middle. The line between the y and x axes does not have to divide the space between them symmetrically. The position of the line between this is very dynamic, reflecting the resultant of certain forces in the legal system and non-legal system. Rahardjo (1985:17) and Darji Darmodiharjo & Shidarta (1999:58) also used illustrations by making axes like this one. There are many theories that analyze these forces, for example the Parsonian Cybernetics theory, which describes the existence of information flows and energy flows, as described in *Exhibit 1: Cybernetic Relationships Between Systems and Structural Functional* in this study.

The line between this shows the ontological aspect in the form of dualism (the relationship between idealism and materialism), the epistemological aspect in the form of rationalism (the relationship between intuitionism and empiricism), and the axiological aspect in the form of legal certainty (the relationship between justice and expediency). This intermediate line may in one legal context be heavy in the direction

of the y-axis, but in another context it may be heavy in the direction of the x-axis. This z-axis movement pattern will be shown schematically to explain the rule breaking models. The z-axis simultaneously divides the pendulum's movement area into two zones, namely 45° at the boundary and 45° at the bottom.

In the scheme introduced in this research, it still refers to the three dimensions at once, namely the ontological, epistemological, and axiological dimensions, for the following reasons :

a. The issue of certainty and expediency refers more to epistemological and axiological aspects, so that the conceptualization is too narrow if only based on the axiological realm. The purpose attached to positive law, first of all, is to provide certainty (according to the series of words "*ponere-posui-positus*" which means to put down, so that matters of justice and benefit also depend on the law that has been put in place). Even if the law is interpreted narrowly as a judge's decision, what is pursued in the first place in the judge's decision is certainty, namely ensuring which party is more justified according to the law or what kind of law determines the final word on the case (several legal principles such as: *res judicata pro veritate habetur* and *litis finiri oportet*, also remind about this certainty). In progressive law, to carry out rule breaking from the epistemological aspect of certainty (the z-axis), it is included in the realm of inclusive legal certainty governance, namely the search for deeper meaning in an inclusive manner, should be a new measure in carrying out the law and having a state of law. Each party involved in the law enforcement process is encouraged to "be smart" to always ask one's conscience about the deeper meaning of the law.

b. The purpose of expediency in law has a particular dimension (*casuistic*), pragmatic practical, and short-term. The judge's decision does not want to be trapped in the provision of benefits on a particular-casuistic scale, namely for the sake of satisfying the disputing parties in the courtroom. As legal bearers (functionaries), judges should not be confined to just looking at the law within the scope of their case (*probleemdenken*), but they must reflect the law as a system (*systeemdenken*) (Sudikno Mertokusumo, 2010: 54-59). The judge's decision ensures that the solution determined or a case can indeed be justified according to a systematic or problematic way of thinking. In the practice of positive law enforcement, judges are required to fulfill three domains of law enforcement which Radbruch (1973:263) calls triadism which includes three legal applications, namely philosophical, dogmatic, and sociological law enforcement. Each of these laws is based on three different basic values. The three basic values are the value of justice reflecting on the vertical y axis of the ontological aspect, the value of certainty reflecting on the inclined z axis of the epistemological aspect, and the value of utility reflecting on the horizontal x axis of the axiological aspect. The heart of Radbruch's legal philosophy consists in his teachings on legal concepts and legal ideas. Radbruch says, that "*The idea of law is defined through a triad of justice, certainty, and utility.*" (Radbruch, 1973:263). The value of utility or usefulness arises from the analysis of the value of justice. The value of expediency is directly related to the interests of each legal subject, so that the axiological aspect on the x-axis emphasizes the protection of the interests of legal subjects whose position is weakest. In the context of progressive law, to carry out rule breaking from the axiological aspect of benefit (x axis)

is included in the realm of directive benefit, namely the law should be carried out not only according to logical principles, but with feelings, care, and involvement (compassionate) to groups who weak.

c. The positioning of positive law on the z-axis also shows an irony, that the value of legal certainty is in constant need of searching. Legal certainty is in fact uncertainty because the law must indeed find its meaning, the words of Paul Scholten who are often quoted, would be appropriate to illustrate this argument, namely, even though the law is already available, it still has to be found (*Het recht is er, doch het moet worden gevonden*) if legal certainty refers to the epistemological aspect, we perceive it in the realm of inclusive legal certainty governance (good behavior). The three basic legal values as reflected on the y-axis of the ontological aspect in the form of justice, the z-axis of the epistemological aspect of certainty, the x-axis of the axiological aspect of benefit, have a tension relationship (*spanungsverhältnis*) with each other. The tension relationship in each of these axes is understandable, because all three contain different demands and have the potential to conflict with one another. If we place legal certainty as a priority value, then this legal certainty will shift the value of usefulness and the value of justice to the side, because the main thing for legal certainty is the existence of the regulation itself. Whether the regulation must be fair and have benefits for the community is beyond prioritizing the value of legal certainty. Because of these different values, the assessment of the validity of the law can vary. What is the attitude of the judge when facing a dilemmatic case as a result of the existence of *spanungsverhältnis*, Radbruch (1973:264-265) says: "..... where statutory law is incompatible with the requirements of justice 'to an intolerable degree', or where statutory law was obviously designed in a way that deliberately negates 'the equality that is the core of all justice', statutory law must be disregarded by a judge in favour of the justice principle."

Based on Radbruch's opinion, it can be said that a judge can ignore the written law (statutory law/state law) if the written law in practice does not fulfill the sense of justice as expected by the justice-seeking community. In the context of progressive law to carry out rule breaking from the ontological aspect of justice (y axis) it is included in the realm of substantive justice values, namely using spiritual intelligence to wake up from adversity, the law provides an important message for us to dare to seek new paths (rule-breaking), and do not allow yourself to be restrained by the old ways, carrying out the old and traditional laws which clearly hurt the sense of justice more.

Based on the description above, the law never works in a straight line, but is full of turmoil. it does not run at the level of rule making (making and running) as a reflection of order, but also rule-breaking (breakthroughs). Actually, from the very beginning, the legislator himself realized, he made the law based on the assumption of a normal situation. To anticipate the occurrence of a situation that is always normal, the law has actually provided doors to get out of the emergency. An example of "emergency doors" is where the law makes a breakthrough against its own regulations, doctrines, etc.

We also learn that the law does not always contain an atmosphere full of order and order, but also disorder. Here the law is aware of its shortcomings, thus providing various mechanisms to save its

existence. If it is like this, we must say, that which is regular and that which is not regular is co-exist and intertwined in the law.

Regarding the extraordinary problems currently facing the law in Indonesia, it is advisable not to hesitate to take progressive steps. Progressive law is the law that frees us from “the shackles of the legal cage.” We do need the law, but don't let the law happen to shackle us (Rahardjo, 2010: 140-141).

So far, we are good students and obedient to the common law methods used by the nations of the world, including its principles, its doctrines. Without realizing it, we have shackled ourselves by assuming that we cannot get out of the praxis that has been perceived as universally lawful. Progressive ideas are expected to help us get out of the confines of a legal way that is considered standard. Here, progressive law frees us from the way the law has been carried out so far.

Requires “Social Capital”

Starting from the description above, it is very important to pay close attention to why social capital brings important progress in a society, especially in the era of the Covid-19 pandemic? The answer lies mainly in the role of cooperative networks in every form of civil/public engagement that encourages the growth of reciprocity. Every individual in society is willing to do something for the benefit of others (altruism) without the person concerned expecting immediate rewards. *"I help you because I want to help you."* Instead, *"I helped you and you immediately pay for the help I have given."* The public cooperation network that is formed will also encourage coordination and transformation of ideas about goodness made by other parties which will become a reference for ideas for other groups. For example, *"Sambatan Yogya"* utilizes local wisdom in the form of community cooperation to help others. Driven by Rimawan Pradipto, a doctoral graduate from York University, England. He studied game theory. Prof. Rim – as Rimawan was called in the Whatsapp group even though he has not yet achieved the title of professor – was accompanied by the Village Head of Sumbermulyo Ani Widayani and the Head of the Bambanglipuro Health Center, Doctor Glory, who became the initiators. *Sambatan* is a local wisdom of Yogyakarta residents which means a movement to help others (Budiman Tanuredjo, “*Sambatan Yogya Offers a Light of Local Solidarity*”, *Kompas Daily*, January 29, 2022:4).

Tanuredjo on October 30, 2021 once wrote a similar theme entitled, *"A Twilight in Ganjuran."* This time, Tanuredjo wrote it again when the donation for the vaccination had reached more than Rp. 1 billion cumulatively. The amount was donated by small donors. Figures Rp. 1 billion is indeed small compared to the state money that was corrupted in the Jiwasraya and Asabri insurance corruption cases. The crowdfunding came from ordinary people, who could help vaccinate 152,630 doses. So, an average of Rp. 6.000,- per vaccine dose.

To the extent that the Minister of Health of the Republic of Indonesia Budi Gunadi Sadikin said, "This is the cheapest vaccination fee." When Budi Gunadi Sadikin saw the “*Jimpitan Plus Vaccination*”

program in Sumbermulyo Village, Kapanewon, Bambanglipuro, Bantul, Yogyakarta Special Region. “*I am amazed by the cooperation of the Bantul people. I am proud, thanking Lurah Sumbermulyo. I am happy to be able to attend the Yogya Sambatan event,*” wrote the Minister of Health on a message board, who later also participated in the *jimpitan* program.

Rimawan, who was the initiator of the Yogya Splice idea, admitted that he did not have data on how much the vaccine cost per dose. Vaccines are provided by the government. At Sambatan Yogya, Rp. 6.000,- per vaccine dose. The funds were used for the cost of renting chair equipment, food costs, and the like. Implementing staff from the local community is free. In fact, according to Rimawan, the cost per dose has been reduced to Rp. 4.500,-. However, so that it can be applied in other areas, it is set at Rp. 6.000,-. Rimawan submitted a proposal for a vaccination push fund request in the WA group. Each member of the group can descend.

After reviewing the *jimpitan* vaccination program, the Minister of Health, Budi Gunadi Sadikin, also entrusted money to local organizations to be allocated to join the *jimpitan* vaccine. Donations given are not large than Rp. 1 million to Rp. 3 million for many programs. At *Sambatan Yogya*, there is a rule that one donor cannot pay for everything. To donate is limited. The holding of the *jimpitan* auction uses a first-come-first-served system, he donates. After the program is implemented, everything is accounted for in a transparent manner, including notes and their use. All group members can oversee proposals, planning, and accountability.

The community's mutual cooperation to help others is exemplary. Once upon a time there was a need for an ambulance and a wheelchair to pick up elderly parents for vaccination. Rimawan then wrote in the WA group. “*There is a need for 15 ambulances and 5 wheelchairs for the Jimpitan Plus vaccination in Sumbermulyo, (Friday, January 21, 2022). For those of you who represent ambulances and those who have wheelchairs, there is a need for 15 ambulances and 5 wheelchairs. Please, ladies and gentlemen, please fill it out.*” “*It took less than two days for all of these needs to be met,*” explained Rimawan to Tanuredjo.

Looking at the local dynamics of the people below, Indonesia will never give up hope. *Gotong royong* is not just a slogan, it is a life in Indonesian society. Not only in Yogyakarta, maybe in other areas as well. The *gotong royong* action is not only to get media exposure (imagery), but it is carried out consistently.

The key words are trust and leader. The leader does not have to be a bureaucrat who is very bound by very strict regulations, but a local leader who does have intentions. Head of the Bambanglipuro Health Center, doctor T. Glory and head of village Sumbermulyo Ani Widayani are examples of local leaders who dare to take initiatives and innovate through various obstacles, including the Head of the Bantul Health Office. The *Jimpitan* vaccine, a village shelter to accommodate residents confirmed for Covid-19, is the thought of Doctor Glory (Author's Research Results, 2022). The *jimpitan* vaccine movement in small areas is also an educational arena. Educational event for children.

Ruben A. Gaztambide-Fernandez, Professor at the University of Toronto, Canada, writes in *The Conversation*, Around the world, expressions of local solidarity seem to spread as each person interprets it for themselves in acting for others in need. However, he also warned that some people could use the issue of solidarity for destructive purposes. Hopefully, the elements of this nation will prioritize positive solidarity to help fellow human beings. According to Tanuredjo, "*Sambatan Yogya*" can be an example of a positive light of solidarity (Tanuredjo, *Kompas Daily*, 29 January 2022:4).

The problem facing Indonesia is the slow movement of this nation's development towards a strong, modern, productive, competitive society, and free from poverty. Development policies in various sectors have been carried out and with high enthusiasm. As a result, there are more obstacles and in some cases failure than success. It is strongly suspected that this is related to the lack of interest from various parties in the socio-cultural dimension as part of determining the failure or success of development.

Social capital has now become a growing discourse and discourse among development thinkers in many countries and especially in developed countries. In Indonesia, this dimension is still not taken into account in every step of development policy formulation. It can be said that not a single paragraph of regional development plans or national development plans actually gives place to the dimension of social capital. In fact, this dimension should be seen as something that is inherent and determines the achievement of the development process that is being carried out. Even if there are discourses and terminology of social capital that develop, the spectrum tends to be narrow, peripheral and in certain circumstances, with a misleading understanding (Jousairi Hasbullah, 2006:61).

Fukuyama (2002) argues, strong social capital will stimulate the growth of various economic sectors and other sectors. This is related to the attachment of strong values and the growth of a high level of mutual trust in society. Such postulations exist and appear in the discourses of a handful of our social scientists, but have not yet reached the stage of implementing community development. In fact, the rapid and successful development of economic development in the case of East Asia, for example, cannot be separated from the fact that they have a strong level of inward cohesiveness, and a high breadth of outbound networks. They have trust, values and norms that support various forms of social interrelation that are carried out, and that is not shared by developing countries that remain underdeveloped. Connections formed in East Asia today have transcended family boundaries and are based on ethnicity, as they have been passed down from generation to generation as the color of Chinese and Korean culture. The family or ethnic base is still strong, but the network of trust that has been built has crossed this primordial environment.

What happens in Indonesia, in cities and especially in rural areas, social capital seems to have disappeared and died. The spirit of living together, *gotong royong*, and social groupings that are formed voluntarily and have the energy of self-reliance, seem to have disappeared, or perhaps because historically these energies have been very thin. The spirit to live together in an atmosphere of mutual trust among community members in these villages is rare. Indonesia today, the trend is towards a zero trust society. This

portrait does not only occur in the village, but also occurs in the midst of the most elite society in urban areas. The culture and spirit of group life that is strong, egalitarian, civilized and has positive externalities, is almost invisible. This is one of the important factors that can explain the problem of this nation's decline with various problems that are increasingly complex, keep happening, and are difficult to overcome (Results of the author's research, 2022).

The reality of development shows that the cultural dimension tends to be ignored, taken over by the economic and political dimensions. The latter even dominates the interpretation of almost all of the nation's problems, including in terms of translating the determinants of development failure or success.

If extracted from the various discourses that have surfaced so far, relating to the question of why Indonesia has always slumped, the point is that it always refers to the single act of the repressive New Order regime during its 32 years in power. This thought, until at least 2005, was still dominating. Almost all parties agree with this postulation: politicians, development observers and members of the press. This seems to be a form of linear point of view that simply repeats the situation in the early 1970s, which argued that all the blame was placed on the Old Order regime. The spectrum is also the same as the situation in 1950 - 1960 which put all the problems on the Dutch colonialists who had just left.

Of course, the influence of an era of repressive rule exists and is strong. However, placing the dimension of the regime as the only determinant of adversity feels very exaggerated, stupid, lazy, and naive.

In relation to this issue, we also ask where the Indonesian social scientists are. None of us are interested in expressing a clear mind the relationship between, say, the culture of looting, robbing, piracy, forcing the will of groups with violence, judging others, elevating oneself and one's own group as monopolists of truth, village champions, envy and jealousy, ethnicity, and want to feel good without the hard work that has been institutionalized for generations in society, with the repressive actions of regimes from the Netherlands to Suharto. In fact, this culture is strong and institutionalized, rooted in the days of our old kings, the *Majapahit* regime, the *Mataram* regime, and the regimes that ruled long before.

One more example, are there social scientists, political observers and politicians who can explain why during the Soeharto era, which we say tended to be repressive and corrupt, the chancellors, deans and researchers from universities throughout Indonesia generally rejoiced and actively supported, cooperated, became a minister, and even became a functionary of the *Golkar* party at that time. Didn't we say that *Golkar* was the political machine of the New Order? From the Five-Year Development Plan to the next Five-Year Development Plan almost all Regional Five-Year Development Planning documents in all provinces and districts/cities in Indonesia were produced by university researchers and then when Soeharto fell, they distanced themselves as if they were clean from the New Order. Wasn't that time we were proud and happy to do it, and by getting a fairly large amount of money in return. Various research projects flowed into the university, although their results and uses were vague. Likewise, how do we explain that at this time, those who have never sat in the New Order government, actually have no better morality, especially

in relation to the use of public money and has the potential to be part of a component that will destroy this nation (Results of the author's research, 2022).

The destruction as a nation lies not only in the 350 years of Dutch colonialism, the 20 years of Soekarno's regime with his Old Order, or the 32 years of Soeharto's regime with his New Order vehicle. The fundamental problem is not that it lies in the cultural dimension inherent in each of our own social entities as people, as scientists, politicians, businessmen, civil servants, soldiers and leaders. Social systems and social organizations that have developed in every local cultural setting greatly hinder adaptation to new positive values. On the other hand, the configuration of local leadership along with the values that exist in the culture and culture of generally ethnic groups in Indonesia always facilitates the possibility to think only of family, class, and ethnicity.

If this postulation or assumption is true, why do we seem reluctant to see and make the cultural dimension an important part of development concepts and ideas, as well as inherent in every strategy to renew the life of the Indonesian people. Why are we all reluctant to talk honestly about this social situation while together we find a way to solve it and enlighten it. Haven't we seen from the past until now that the government and the people have carried out systematic destruction together? What has happened so far, by continuously blaming an order (which in every order, when in power, is always supported and hailed) we will lose the opportunity to solve our problems clearly (Results of the author's research, 2022).

Historically, in several regions in Indonesia, it has been recorded that the mentality of togetherness and ethics has been quite good in the community. There has been a relatively strong socio-economic progress of the community. The two most prominent areas, for example, are the South Sulawesi region when it was ruled by Kraeng Patengaloan and the Aceh region when it was ruled by Sultan Ala'addin Riayat Syah Al-Kahar in 1560. Some of the smaller areas that have triumphed include Banten and Demak in Java. The rest, if a country or kingdom is called prosperous, it is only synonymous with the prosperity of its leaders. The people are nothing more than slaves who suffer (Hasbullah, 1999). However, there is a general tendency that people are not too concerned about suffering, and if necessary they are waiting for an opportunity to participate and be close to the king.

If at first glance a description of the mentality of Indonesians is made, as is generally the case with the Malay mentality, the structure is as follows: we tend to like to take shortcuts, the truth is we feel alien to change, breakthrough and innovation and tend to be unwilling for others to achieve better results (Results author's research, 2022). This phenomenon is in line with what has been shown by Firth (1966) in his analysis House keeping among Malay peasant, Parkinson, 1967, in his article entitled Non economic factors in the economic retardation of Malay (Modern Asian Studies Vol 1:15-25, Hasbullah, 1992 & 1997) and several other studies which have the same conclusion that the basics of Malay (Indonesian) culture do not have an innovative tradition, are quickly satisfied with the achievement of simple needs, tend to be extravagant and like to depend on others but then betray those who are assumed to be superior. stronger.

This stereotype may be too simple (over-simplified), but of course there is truth in it, something that is difficult to refute.

This culture is also, at first, so deeply rooted among the Malays in Malaysia. The difference is, Malaysia dares to admit the existence of this negative trend. They are able to identify these weaknesses and take various corrective steps. One of them is the breakthrough made by Mahathir Muhammad by sending tens of thousands of young Malaysians to study in the West and the East. The target, apart from gaining knowledge, is to adjust their work ethic and self-discipline as well as to revitalize the primitive inward looking culture that has pervaded them. This policy has then made a positive contribution in relation to the process of forming a new Malaysian culture (Results of the author's research, 2022).

In Indonesia, on the other hand, we like to oppose. As if there is no problem with our culture. Then, looking for justification through the scapegoating of the Dutch, the Old Order, and the New Order. These regimes seem to be the sole cause of the various problems that arise. Whereas the aforementioned orders were only vehicles and manifestations of the strong culture and mediocre mentality that actually colored these orders.

We always miss the opportunity to recognize the variations that occur in each local feudal cultural setting, especially in the context of social systems and organizations that have shaped the weak culture of the Indonesian nation. We also miss the opportunity to identify carefully how the cultural patterns that make up exploitative social classes occur in almost all local cultural settings, those who are strong eat those who are weak (Hasbullah, 2006:66).

To carry out vertical mobility from the proletarian social stratum to the upper stratum of socio-economic and political leadership, it is done by taking the easy way. In traditional societies generally through marriage or betrayal with violence. In a relatively developed society, also in a way that has similarities, namely taking shortcuts (bribes, fraud, licking, slander, betrayal and or physical violence, both on behalf of individuals and groups). Such a mentality can explain why just being a candidate for a member of the legislature requires licking, bribing and falsifying diplomas or other personal identities. It is understandable, if in an election or local election the party/candidate loses, then the first activity that is carried out is not evaluating internal weaknesses, but looking for reasons accompanied by the mobilization of the physical strength of the masses to destroy those who win (Results of the author's research, 2022).

As a result of this low mentality, we have been humiliated for 350 years by a country as weak and small as the Netherlands. The Dutch were not able to conquer any major country in the world except Indonesia. Just to illustrate, with 59 million Indonesians in 1930 (Results of the 1930 Population Census) only 8,015 Dutch soldiers could conquer and trample on them. At that time, according to statistical records, about 46,000 Dutch soldiers were Indonesians themselves (Hasbullah, 1996 and Volkstelling, Vol 8, 1931).

Without turning a blind eye to the several rebellions that occurred in several places and the heroic spirit of the war for independence, we must also accept the fact that most of us enjoy and depend on the

Dutch very much, praising and lauding them. It was only after Indonesia's independence that all employees of former Dutch offices, former soldiers, former Dutch police, and all other components, no longer knowing who were heroes and who were losers, turned to berate the Dutch. This was precisely imitated, when New Order people and those who enjoyed the abundance of sustenance at that time (including university intellectuals) criticized the New Order. This issue is not a political, economic or technological one. This is purely a cultural issue that we are reluctant to touch (Results of the author's research, 2022).

It is impossible for us to build this nation without doing a massive reorientation to acknowledge our common weaknesses. It takes honesty to clearly identify the mental illnesses we have. Cultural patterns that tend to weaken social energy need to be identified carefully, before moving on to find a health strategy from the negative culture that we have. That way we will know more clearly whether this nation is culturally strong enough (in the sense of superior or inferior culture) and what effect it has on the success and failure of development.

A simpler way and tends to be more patterned is to identify the structure, substance, and culture as well as the configuration of values, norms, habits, mentalities, and network ranges that are formed through a terminology of study known as social capital. Assessing and incorporating this dimension of social capital into various development policies seems to have become a must, as well as a strategy for cultural renewal of the Indonesian nation and society.

Progressivism of the *Metaverse* Civilization Side by Side with the Covid-19 Pandemic

This March, exactly two years since the world and Indonesia are in a pandemic emergency, there is hope that conditions will improve soon. There is optimism that the pandemic will end soon. It is very likely that the scale will decrease to endemic levels as other diseases, such as flu, dengue hemorrhagic fever, and malaria in some of our regions. We are ready to enter the new normal.

The pandemic has indeed ravaged human life. As of Wednesday (*Kompas Daily*, March 2, 2022), the virus has spread to 179 countries, infected 428,999,522 people, and caused the death of 5,790,992. Indonesia's condition is also not much different. The accumulation of infected reached 5,630,096 people, and 149,036 died.

However, on the other hand, the pandemic has also driven the discovery of the fastest vaccine in history. The procedure for making vaccines that can take 10 years to be ready for use can be cut to less than 1 year. Currently, in the world 55.52 out of every 100 people have been vaccinated.

In Indonesia, 144,505,806 people have already received the first and second doses of vaccine. This number covers 69 percent of the target of 208,265,720 people being vaccinated to achieve herd immunity.

Another good news to be grateful for is the human ability to adapt in a pandemic situation. The management of Covid-19 cases is growing rapidly and health experts around the world continue to share knowledge. Likewise, distance education, work from home, and various online spiritual and economic

meetings, which make people "jump" in the use of technology. Like last year, the topic of the *metaverse* has returned to popularity after Facebook founder Mark Zuckerberg announced a change in the name of its parent company from Facebook Inc. to become Meta Platforms Inc. This name change reflects the company's commitment to developing more realistic 3D interaction technology on their platform.

Indeed, it cannot be denied that the transmission of Covid-19 will continue. After Indonesia went through three waves – the initial variant, Delta, and Omicron – now cases are starting to fall. The highest cases occurred on February 16, 2022 with 64,718 positive cases and then gradually decreased. The latest data on Thursday (*Kompas Daily*, March 3, 2022) showed that there were 37,259 positive cases reported.

Fortunately, the mortality rate for the Omicron wave is much lower than for the Delta wave. Even if severe symptoms appear and even death, it usually occurs in those who have not been vaccinated or have comorbidities.

This confirms the findings of the experts that the Omicron variant is not as virulent as the Delta although it is more easily transmitted.

According to Zeily Nurachman ("Revocation of Pandemic Emergency," *Kompas Daily*, March 4, 2022:7) a biochemist from the Bandung Institute of Technology, there are four parameters of the SARS-CoV-2 variant to pay attention to (variant of concern), which is part of the nature of the virus to survive. Because if it continues to be vicious, it will be destroyed more quickly with the death of its host, namely humans.

First, the window of transmission, when the variant replicates rapidly in the upper respiratory tract. Before the pandemic, this rapid viral replication was called an upper respiratory tract infection. Fluid in the upper respiratory tract contains cells that can reproduce the corona virus.

In the laboratory or in the vaccine industry based on inactivated viruses, these cells are vero cells. People who are exposed will become a multiplier agent of the virus that has the potential to infect other people.

A simple way to reduce the virus replicating in the upper respiratory tract is diligently gargling a polyvinyl pyrrolidone-iodine (betadine) antiseptic solution, washing the nose with isotonic salt water, and blowing the nose frequently.

Second, the ability to release the virus. The virus is released from people exposed to other people through close contact (social contact). Viruses are released through breathing, talking, and sneezing. The most effective way to suppress the spread of the virus is to use the correct mask.

Third, the ability of the virus to bind to the receptor. When the new SARS-CoV-2 variant becomes more strongly bound to the receptor than the previous variant, it is a malignant variant.

As is known, the protein - S (spike) is on the surface of SARS-CoV-2 to attach the virus to the ACE-2 receptor. Once stuck, the virus enters the cell and reproduces itself. Death often occurs as a result of viral population explosions in the lower respiratory tract.

Fourth, the ability of the virus to survive in the air. The body of SARS-CoV-2 wrapped in micro-droplets will float in the air. These droplets live a long time in humid and cold environments. Therefore, avoid meeting in a closed and air-conditioned room.

Reducing the level of malignancy can be one of the considerations for leaving the pandemic emergency status to be endemic, in addition to vaccination coverage, treatment and treatment management, or the level of community readiness. Community readiness is an important factor so that when the government officially lowers the emergency status of the pandemic to endemic, there is no harmful euphoria.

Information and socialization need to be carried out so that everyone is aware of completing vaccinations, obeying health protocols, and remembering to maintain stamina. Sooner or later we must have the courage to lift the pandemic emergency. Don't linger. The criteria that can be taken into consideration is whether SARS-CoV-2 is benign or not. Let's get ready, it's time for us to enter the new normal order.

In the era of the new normal, the conversation about the *metaverse* in the country is getting more and more frequent. This happened after the technology company WIR Group was expected to introduce a prototype of the Indonesian *metaverse* ecosystem on the agenda of the G-20 Presidency of Indonesia. WIR Group is a technology company based on virtual reality (virtual reality / VR) and augmented reality (AR) and was founded in 2009 in Indonesia (Dimas Waraditya Nugraha, "Digital Industry: Talenta Vs *Metaverse*", *Kompas Daily*, 9 March 2022:10).

The conversation about the *metaverse* grew louder when at the beginning of this year two State-Owned Enterprise banks, namely *PT. Bank Rakyat Indonesia (Persero) Tbk* and *PT. Bank Negara Indonesia (Persero) Tbk*, announced a collaboration with WIR Group to gradually work on the *metaverse* ecosystem business segment. To the extent that the phenomenal *dangdut* singers Lesti Kejora and Billar (Leslar) are also interested in the *metaverse* business.

If traced, the term *metaverse* was popularized in 1992 by writer Neal Stephenson through his dystopian fiction novel, *Snow Crash*. This novel is set in the early 21st century. The main character, Hiro Protagonist, is a pizza delivery man in the real world who becomes a *metaverse* as an escape. He uses his avatar to explore virtual worlds and spends most of his time in the *metaverse*.

The technology research institute from the United States, Gartner Inc., defines the *metaverse* as a collective virtual shared space, created by the convergence of physical and digital reality. This collectivity makes business people do not need to build their own infrastructure to do business because *Metaverse* has provided it.

Simply put, the *metaverse* is a virtual world created by presenting real life. The technology that builds the *metaverse* ecosystem allows our avatars to move in the virtual world as real as possible, from shopping, playing, socializing, and working.

Metaverse with the adoption of blockchain technology has almost unlimited development space as a business and transaction platform. This potential can be exploited optimally with the condition that the quality of digital infrastructure, including human resources, is adequate.

Of course, to welcome the *metaverse* potential, Indonesia needs to have human resources with qualified digital capabilities and skills. A qualified digital talent will make this country not only a market, but also a player in the field of technology.

The resilience of the digital security system is also an absolute requirement for the running of the *metaverse* ecosystem. Nina Jane Patel, a woman from London, England, tells of her nightmare when she tried to enter the virtual world of Horizon Venues created by Meta (Facebook). He was verbally abused or sexually assaulted by three or four avatars with male voices. He admitted that the avatars raped him. It happens quickly, about 60 seconds, when it enters the *metaverse*, so it hasn't activated the safety barrier or the Meta secure model that allows the user to block interactions with other avatars.

Sexual harassment in the *metaverse* is a serious problem in the industry that needs to be addressed along with putting in place appropriate and measurable security controls (*New York Post* online page, February 1, 2022).

Apart from Patel, there have been other victims of abuse that have occurred in the *metaverse*. In December 2021, a beta tester claimed to be virtually groped at Horizon World. Meta disclosed the incident on December 1, 2020 and relates the incident on November 26, 2021.

Even though it doesn't happen in the real world, the psychological response of the victim is as severe as if the rape was real. Because, according to Patel who is also a researcher at Kabuni, virtual reality is essentially designed so that the body and mind cannot distinguish virtual experiences from reality.

Perhaps many people still find it difficult to imagine what the *metaverse* world is like. *Metaverse*, as stated by Mark Zuckerberg in an interview with Casey Newton on theverge.com, as an internet that exists, when users are actually in it, not just seeing content as it is today.

If it has not been imagined, the film by the famous director Steven Spielberg entitled Ready Player One can be an illustration. The science fiction film, which was launched in 2018, tells the story of the adventures of Wade Watts, a man born in 2027 who lives in 2045, at which time everyone was very familiar with the virtual world called the OASIS. In fact, it can be said that people live two lives, namely the real world and the virtual world.

To enter the Oasis, one only needs to wear a virtual reality headset, then a world opens where the limit of reality is the imagination of the people themselves. Without moving physically, anyone can do anything, go anywhere, including to Hawaii to surf the 15 meter high waves. Or something more absurd, skiing over the pyramids, climbing Mount Everest.

The question is, does virtual reality offer a truly ideal, fair, prosperous life, minus crime? About that, many experts say no. Some say that the potential legal problems that arise in the *metaverse* are actually

not far from the problems faced in the real world. In fact, it may come with a more intense level (Susana Rita & Dian Dewi, “Digital Regulation is Time to Measure Potential Problems in the *Metaverse*”, *Kompas Daily*, 15 February 2022:3).

Professor of artificial intelligence (AI) and spatial computing at Liverpool Hope University, David Reid, in an interview with BBC Science Focus Magazine published on science-focus.com, January 14, 2022, revealed the risks and potential for criminal acts in the *metaverse*. basically the same as the issues that have surfaced on the internet. However, those problems are much bigger in the *metaverse* than they are on the internet today.

Examples of criminal acts that may occur in the *metaverse* include money laundering, considering that the *metaverse* is likely to be funded with non-fungible tokens (NFT). Money laundering is easier to do. Likewise with the theft of personal data, violence, pornography, online bullying, and others.

One of Reid's concerns was data protection issues. In the *metaverse*, data leak cases, according to him, are potentially worse than they are today. Moreover, the amount of data generated as the user moves through the *metaverse* will be greater than the data that can be obtained on the internet.

Head of the Law Department of Information Technology, Communication and Intellectual Property, Faculty of Law, Padjadjaran University, Bandung, Sinta Dewi Rosadi said *there are four legal aspects that need to be considered in the metaverse. First, the issue of data protection.* When entering the virtual world, facial recognition is a common thing. *Metaverse* users will use animated figures or avatars with faces that show their faces. There is facial recognition there. In fact, in personal data, facial recognition is the most sensitive personal data, as are the retina of the eye and fingerprints. Later legal problems will follow.

Second, the rules about how users interact. Third, the issue of intellectual property rights, patents, copyrights, and the like. Fourth, security issues. Although in this case there is support from secure blockchain technology. In the digital world there is no one security system that is completely secure. Always breakable. Indeed, this security system is very vulnerable, not only in Indonesia, but also throughout the world.

Reid provides an overview of the enormous security impact. The consequences are not only losing passwords on the internet, but also a much greater theft of biometric data. Big companies are aware of this, but they haven't really gotten around to it.

For this reason, Reid said, *government organizations and law enforcement need to be involved from the very beginning of the metaverse being built to see what is happening there and be aware of potential problems. This needs to be done so that the government and law enforcement are not late.*

One problem that remains unresolved because there is no agreement yet is jurisdiction. There is no agreement among countries on the jurisdiction to use. Because, in the cyber world, territorial jurisdiction cannot be applied. This is due to differences in legal offenses between countries. The most ideal use is universal jurisdiction, such as that used in the case of aircraft hijacking. For example, an American plane

was hijacked in Turkish territory, then landed in America. United States courts can try criminals even if the piracy is carried out on the territory of another country.

However, this universal jurisdiction has not yet been agreed upon by the state considering the different legal offenses in each country. For example for the case of pornography. In Indonesia, pornography cases can be criminally charged, but in other countries such as the United States, it is not a criminal offense if it does not involve children. Or gambling, some have legalized it and some have regulated it as illegal.

Thus, this jurisdictional issue is still unresolved. We still use territorial or at least extraterritorial jurisdictions, but we need negotiations between law enforcement (Rita & Dewi, *Kompas Daily*, February, 15, 2022:3).

Indeed, the time has come, we begin to measure the potential for the "*metaverse*" problem as described above, as a strategic effort to realize the Roadmap and Master Plan for the Transformation of the Digital Economy and the Progressive Legal Transformation of the "*Metaverse*" Civilization in the pandemic era. Digital economic transformation and progressive law originating from the philosophical values of spiritual intelligence (Spiritual Quotient/SQ) that promote the harmony of nature and its contents. In the era of the pandemic, achieving harmony means being able to ensure the handling of Covid-19 while encouraging economic recovery so that the community's economy is able to rise and accelerate. This pandemic is used as a momentum to carry out a fundamental transformation, everyone must have that desire so that our economic resilience exists, because this pandemic provides an opportunity to jump up. We must take advantage of this momentum, to improve ourselves and carry out a massive transformation, so that we hope that, after Covid-19 is over, we are already in a better position on the ladder towards the new normal order.

In the author's opinion, there are three things that need to be considered in order to realize the transformation of the digital economy and the transformation of progressive law in implementing the Indonesian *metaverse* project because they are carried away by the currents of global economic trends. First, working on business segments in the *metaverse* ecosystem. Second, the paradigm and governance of inclusive health legal certainty, including the community must be ready to coexist with the virus and community immunity (herd immunity); and the resilience of the digital security system is an absolute requirement for the running of the *metaverse* ecosystem. Third, the *metaverse* civilization transforms into progressive law carrying a social, cultural, and environmental based *metaverse*, realizing harmony and glorifying nature (the universe). The spirit of glorifying nature, humans, and culture (local wisdom), we must continue to welcome the future and we have a strong commitment to implement "bringing justice to the people."

From the results of the author's research (2022), the Roadmap and Masterplan for digital economic transformation and progressive legal transformation of the "metaverse" universe in the post-modern era are obtained, as shown in the following diagram.

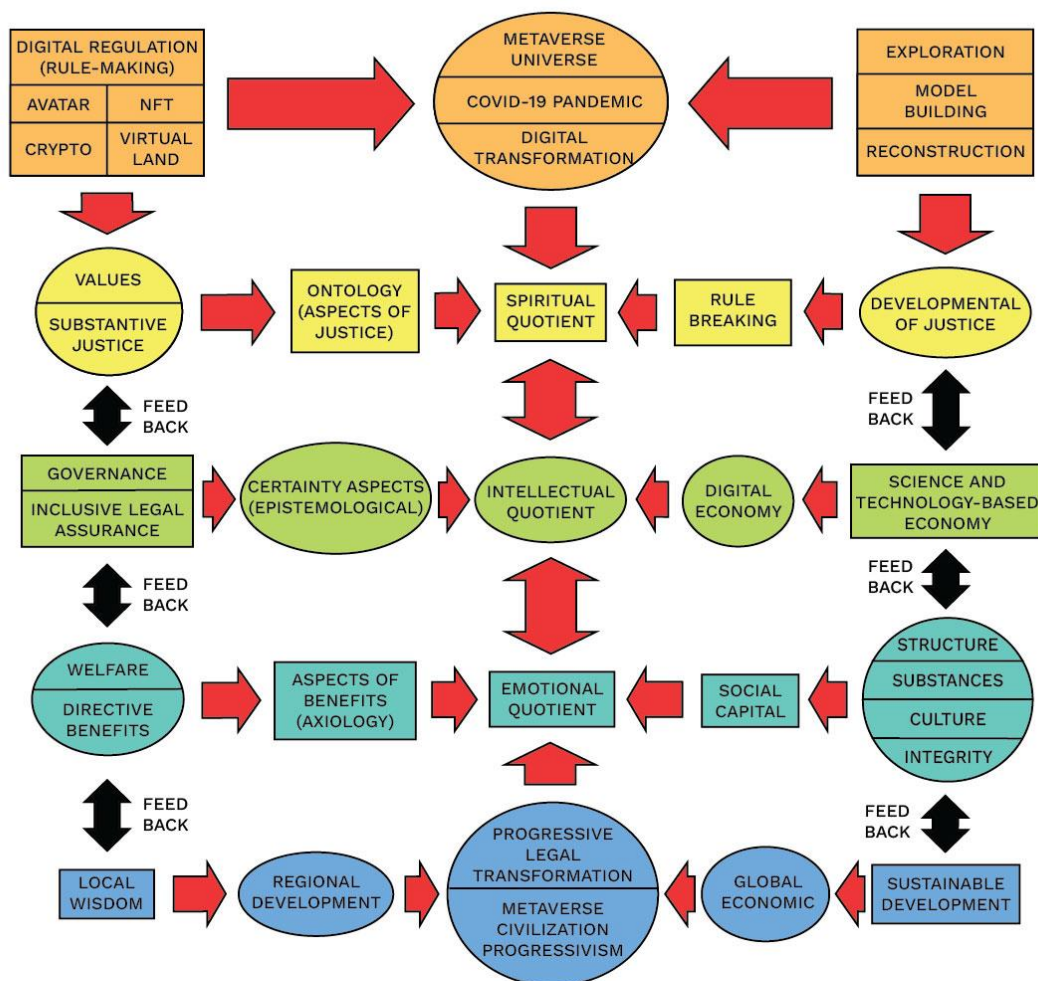


Figure 3: Road Map and Master Plan for the Progressive Legal Transformation of the "Metaverse" Civilization in the Post-Modern Era

Source: Processed from the results of the author's research

In the roadmap for digital economic transformation and progressive legal transformation, the researcher formulated the 5 Great Transformation Strategies for the post-modern era "metaverse" civilization. First, *the Smart and Healthy Metaverse Universe*, through the transformation of health development, namely a new normal order, coexistence with viruses and community immunity (herd immunity) and education that aims to increase the productivity of Human Resources (HR). Improving the quality of human resources through the strategy of realizing healthy nutritious human resources, intelligent human resources with strong character and creative and innovative human resources. This potential can be exploited optimally with the condition that the quality of digital infrastructure is adequate.

Second, *the Productive Metaverse Universe*, through a strategy to increase the workforce towards a potential "metaverse". Indonesia needs to have human resources with capable digital capabilities and skills. A qualified digital talent will make this country not only a market, but also a player in the field of

technology. Based on a report by the AlphaBeta Economic Strategy Consultant, in 2020, the number of workers who use digital skills in the world is 149 million people. This number is predicted to increase to 819 million workers by 2025. The digital skills meant include the ability to operate software, develop web/software/games, to create large-scale data modeling. According to AlphaBeta, Australia is the country with the highest percentage of digitally skilled workers in the Australia Pacific. In this region, as many as 64 percent of workers have applied digital skills. Meanwhile, only 19 percent of Indonesian workers have digital skills. Another report made by the Institute of Management Development also clarifies the fact that the competitiveness and competence of human resources in Indonesia's digital sector is still low. For the Asian region, people's competitiveness is in the third lowest position in 2021.

Third, *Inclusive Metaverse Civilization*, through strengthening enablers or levers, namely: (1) knowledge to discover, understand, and build new technologies based on virtual reality (VR) and augmented reality (AR); (2) technology to see the possibility of development in a country; and (3) the level of readiness of a country to take advantage of digital transformation.

Fourth, *Metaverse Smart*, through strengthening digital infrastructure with 100 percent coverage and quality, increasing digitally skilled human resources, developing various public and private services digitally and digitizing the economy.

Fifth, *Digital Security Literacy*, through the toughness of the digital security system is also an absolute requirement for the running of the *metaverse* ecosystem. If you put digital security literacy aside, the *metaverse* can be a user's nightmare. It should be noted that the Ministry of Communication and Information Technology of the Republic of Indonesia has launched research results entitled Survey of Indonesian Digital Literacy Status in October 2021. The survey results show that Indonesia's digital security literacy index is low, from a scale of 1-5, Indonesia is in the range of a value of 3.1.

Specifically for the *Metaverse Civilization Strategy to Transform Digital Economy and Progressive Law*, it is strengthened through the *Metaverse Ecosystem Master Plan* with development based on the following relations: (1) core layers, namely technology (computers and telecommunications equipment) and infrastructure (internet and telecommunications networks); (2) digital layer and information technology that gives rise to various technology applications or digital platforms; (3) the digitalization layer of the economic sector, where various physical goods and services are transformed into digital forms; (4) social engineering plans; (5) cultural engineering plan; (6) legal engineering plan; (7) supporting infrastructure plans; and (8) progressivism action plans.

Broadly speaking, there are seven main study areas in the *Metaverse Ecosystem Development Master Plan*. First, cultural studies that analyze the noble values of culture, especially local wisdom to be promoted to the international world and preserved and passed on to future generations. Thus, the integration of culture with a *metaverse* ecosystem based on culture, the environment, and sustainable development.

Second, social studies in analyzing existing social dynamics, such as human resources, stakeholders involved in activities, social conflicts that have occurred and may occur, as well as analysis of the handling of these social conflicts. Social studies produce social engineering directions that can be aligned with the development of a *metaverse* civilization, namely social capital.

Third, economic studies to obtain an overview of digital economic activities, including business processes and value chain relationships with other sectors in the post-modern era.

Fourth, the study of zoning for sustainable digital economy development by mapping supply-demand, determining branding, determining the theme of digitalization development, vision and mission of development oriented to developmental justice in each zoning.

Fifth, an institutional study in formulating a Post-Modern Era Destination Management Organization management model in a Structured-Substance-Cultural-Integrity manner.

Sixth, infrastructure studies that focus on analyzing the needs of supporting infrastructure based on the principles of sustainable development, without compromising the socio-cultural approach.

Seventh, review of action plans with progressive legal quality.

From the seven main study areas in the *metaverse* ecosystem development master plan above, it can be visualized in the following diagram.

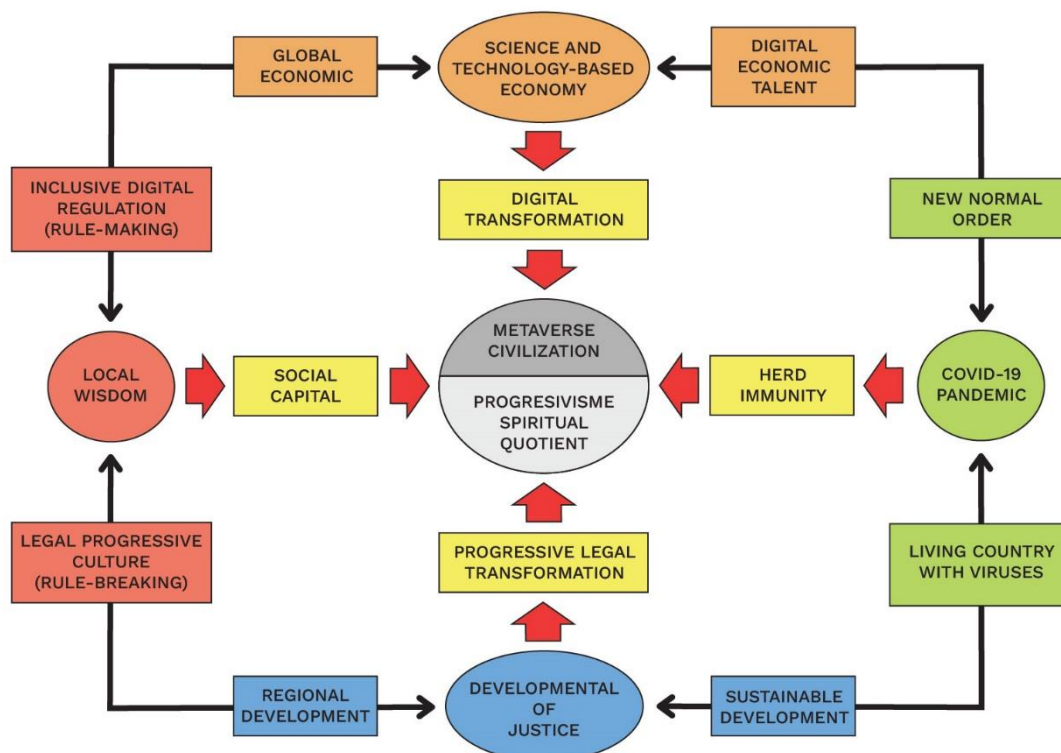


Figure 4: Flowchart Of Progressivism Universe “Metaverse” Coexist With Post-Modern Era Virus
Source: Processed from the results of the author’s research

Progressivism departs from the view of humanity, humans are basically good, have the qualities of compassion and concern for others. This is an important capital to build a legal life in society. Thus, the law becomes a tool to describe the basis of humanity. Law is not a king, but a mere tool that functions to give grace to the world and humans.

In this regard, progressive law contains a very strong moral content. Progressivism does not want to make law a technology that has no conscience, but rather a moral institution, in this case human morality.

With this explanation, progressive law is always sensitive to changes that occur in society, both locally, nationally, and globally. In the face of these changes, progressive law is called upon to appear to protect the people towards the ideal of law.

An important characteristic of progressive law is that it rejects the status quo, if this situation creates decadence, a corrupt atmosphere and is very detrimental to the interests of the people. This character brings progressive law to "resistance and rebellion" which eventually leads to a progressive interpretation of the law.

Progressive law that does not want to maintain the *status quo* has a strong liberating character. The paradigm of "law for humans" makes him feel free to seek and find the right format, thoughts, principles and actions to make this happen.

The concept of progressivism can of course also experience a decline (derogate). That is, the progressivism in question is that which is positive and productive for society. However, there is no full guarantee that such progressivism will inevitably emerge. Deterioration, abuse, abuse, and others can happen. Therefore, it is necessary to take care so that negative things do not appear and happen.

Regarding the progressivism of the *metaverse* universe and the progressive transformation of law in the post-modern era, Julius Stone (1966) *has written about the position of machines in the way humans judge. The use of machines, computers, the internet, which shows the ability to deal with various problems more quickly and en masse, has tempted people to ask, "what if we also involve machines in the legal affairs?"*

Machines that are able to work quickly and carry out a large number of solutions, are able to work like that, with the reward we have to give, namely to submit to the way the machine thinks and works. Here the problem becomes serious, because machines have a pattern of thinking and working that is not exactly the same as humans, also when humans do the legal work.

The speed and ability to solve problems in very large numbers is done by machines by creating standard techniques and routine formulas. With such mechanical or mechanical techniques, the substance being worked on is cut into pieces in such a way that it becomes standard pieces that can be incorporated into a previously prepared scheme or formula. That's the price to pay for getting solutions quickly and in large numbers.

However, according to Stone, in law the work cannot be completed in such a way. Every legal case is unique and therefore requires individualization, while machines operate according to standard techniques and formulas. Thus, the individual characteristics of a case are lost. So if legal matters are left to machines, what appears is "machine justice" not "human justice". Machines do have special abilities, but not all matters can be left to machines, including the law. Based on these considerations, Stone ended his treatise with the words: "*Leave human affairs to humans and to machines the affairs of machines.*"

We can't stop just comparing legal solutions to physical machines. What is characterized as machine work above, can also appear not in physical form, but also non-physically, namely a way of thinking. Machine thinking, as described above, is not only monopolized by machines, but also occurs in humans.

Borrowing the description of Zohar and Marshall, the simplest human way of thinking is indeed similar to a machine, which is usually represented in IQ (Intellectual Quotient). For a long time, this way of thinking represented the ability of human thinking, so everyone wanted to be measured by IQ standards. By Zohar and Marshall, IQ thinking model is called serial thinking, also called simplistic model of thinking, which is thinking straight, logically, and without involving emotions. This is not wrong, they say, but IQ alone does not describe or represent the whole human way of thinking. Then complete the IQ, then comes the EQ (Emotional Quotient), namely associative thinking or thinking with the heart and body. The last is SQ (Spiritual Quotient), which Zohar and Marshall have named the ultimate intelligence.

In contrast to IQ, SQ by Zohar and Marshall is called unitive thinking which gives birth to spiritual intelligence, namely intelligence that is meaningful (meaning-giving), thinking in context and jumping out of bonds (transformative). Another trait for SQ is creative, insightful, and intuitive thinking.

Mutatis mutandis, we also find these ways of thinking in the legal world. IQ may represent analytical law, which capitalizes on rules and processes them with the help of logic. This is a common legal method, including in our country. The creed used here is "rules and logic". As in rational intelligence, then the way of ruling or carrying out the law follows an arithmetical sequence, step by step rationally. Here people look more into the law or building regulations themselves than outward. There is no associative mind linking law to society.

The pinnacle of the legal way is when we dare to escape from the shackles of legislation and find progressive new things. Here we no longer think mathematically according to arithmetic or spell out the articles of the law, but act creatively and jump. Jumping here in the sense of not following or being bound by past habits, or commonly called jurisprudence, but coming out with entirely new decisions (landmark decisions). So if the legalistic, positive-analytical method of law is called rule-making, creative and intuitive thinking is called rule-breaking.

Through these landmark decisions, it is proven that legal decisions are not only based on current traditions, but can jump at any time. Thinking and acting this jump is to create a new tradition and break

out of the old. The judges here do not do serial thinking, but instead think transformatively (Rahardjo, 2008:95).

The law concerns the fate of humans, both in the civil and criminal fields, and even lives can be at stake. Therefore, it requires accuracy, accuracy, and perhaps also speed in making decisions. The machine is capable of doing these tasks, maybe even he is the master. High ability to carry out these tasks must be paid high, namely by making a definite standard pattern or scheme (fixed). With this way of working, the machine can boast of its accuracy and speed.

This way of working sometimes also wants to be imitated by the law. Here the way of thinking or ruling is also based on schemes that have been determined for sure beforehand. The legal method then follows the standards and formulas that have been prepared. Then facts, processes, disputes, are incorporated into these schemes, such as a production system that uses the principle of a running wheel. In such a legal way, judges, prosecutors, police, advocates and others are like operators who just need to enter events into the boxes of these schemes. This method of ruling is likened to an automatic machine where you just press a button or insert a coin, the decision will be made.

The machine-like way of law relies on generalizing the problem at the expense of individualizing the problem. This generalization does not only occur in problems that must be decided, but also in law enforcement, namely judges and others whose humanity has been reduced from whole humans to parts of a machine.

Some legal scientists, such as Hans Kelsen (1970), felt challenged by advances in science and technology and wanted to bring legal science in line with scientific methods that were considered to have proven superiority. For this reason, the law must be cleaned of illogical elements, such as philosophy, values and so on. The method taken is to create a logical-rational legal construction. The law is nothing but a rationally structured building of regulations, starting with what he calls the *grundnorm*. There is nothing illogical and rational in law, all rules are logically related. People, such as Stone, as well as schools such as sociological jurisprudence and behavioral jurisprudence, certainly strongly reject such a method of law.

Glendon Schubert, professor of political science and a leading researcher on behavioralism, pays great attention to the attitude of judges to decision-making rather than to reasoning. To understand the judge's decision, it should be linked to the motivation behind it. According to Schubert, a judge agrees or disagrees with a decision, not because of the use of the same reasoning or not, but because they have the same or different attitude.

The judge's attitude is different, caused by choices about things that are believed and dismissing others. These choices are in turn based on his life experiences. Schubert further said that *what a judge believes depends on his political, religious and ethnic affiliations, his wife, his economic certainty, social status, education, and career before becoming a judge* (Rahardjo, 2008:97).

Of course we can agree or disagree with the factors that Schubert involved in making decisions by judges, but one thing is certain, that human factors and roles in law cannot be ignored at all.

The use or imitation of machines in law makes the problem even more severe, when we are in extraordinary circumstances. It is this extraordinary situation that is now often uttered to the public, such as corruption as an extraordinary crime and a state of crisis in many areas of life.

Highly skilled machines operate according to the designs made by their designers and cannot be manufactured anyway. "Equality before the machine" is really guaranteed and well maintained. But when it is faced with an extraordinary situation, a situation outside the program, the machine becomes unprepared. We cannot maneuver with machines to deal with such extraordinary circumstances.

Indeed, by Lee Loevinger (1963:5-35) a new science was introduced which he called "jurimetrics", which utilizes computers, statistical analysis and others. This science is not satisfied with answers in law which are philosophical and final. This new science wants to test the answer empirically. Jurimetry, for example, will look at and deal with quantitative analysis of legal behavior, retrieval of legal data using electronic and mechanical means, as well as the formulation of a calculus, legal predictability.

The use of machines, computers, the internet in law is now no longer a secret, such as in internet banking and transactions via the internet. But what we are talking about, is actually a different matter, namely the mechanical way of thinking of machines. This is a problem, even an obstacle when this nation is faced with an extraordinary situation.

If the Indonesian people thought like machines, then Indonesia's independence would never happen on August 17, 1945. To think like machines was to follow the Dutch East Indies legal system, so that Indonesia's independence had to be processed according to the laws in force at that time.

The resignation of President Soeharto, also did not go through a formal constitutional legal process, but happened suddenly outside the law. It was only after students, who were supported by the people, demanded that Soeharto step down, did the legislature follow behind. So here it can be said that the students who were demonstrating at that time were writing a constitutional decision to stop Soeharto's government and only then was followed by the making of a formal decision by a formal institution, namely the People's Consultative Assembly.

This study underscores Stone's statement that *legal issues cannot be included or boxed into a standard scheme or formula. Law has its own uniqueness. So leave the legal matters to humans and let the machines do their own thing*, says Stone (1966).

Surrendered to humans, means allowing the law to be able to make decisions that are full of choices. In the current state, it is humans who are able to complete the work full of these choices. This is also supported by the opinion of Zohar and Marshall, which is also presented in this paper, that humans have the ability to think that is not only logical, mechanical, and serial, but also creative and rule-breaking. According to Rahardjo, the machine has not been able to do the latter.

The law can never serve humans if it does not work with feelings and care (compassionate). To be able to serve humans well, the law cannot only count and spell out the articles of the law, but also work with empathy and courage (dare) and machines have not been able to do that (Rahardjo, 2008: 99-100).

The law does not depart from the reading of what is written in the regulations. Rules provide a framework, but within it, humans are at play. He is faced with many choices and demands and desires that are raised in society. Radbruch (1973:263) calls it justice and usefulness for life (utility, reasonableness). Logic becomes a symbol of regulation and rational implementation, while experience is how humans (judges) provide social and humanitarian content.

The thesis obtained in this study, namely "***a metaverse universe civilization that can coexist with the Covid-19 pandemic is not an impossibility but a necessity***". The thesis in this paper is similar to that of Karl Renner (1969:33-45), who observes the change in civilization, seeking solutions in creative and progressive ways. Renner said that *now legal changes can't just be linked to changes to regulations or formal texts. Changes to the law can occur when the substance it regulates changes and the law tries to accommodate it. Here, formally the concept has not changed, but secretly there has been a change.*

Then, what according to Renner, the legal way to accommodate changes without changing the rules formally? Renner made a thesis which reads: "*The development of the law gradually works out what is socially reasonable*".

This is indeed a brilliant progressive thought. Here Renner explicitly includes the factor of social benefit as a factor that contributes to changing the law and thus abandons the role of legal certainty. If the law does not change and is changed, even though the substance has changed, then the social benefit factor takes over the role of legislation.

Of course, positivists and legalists will find it difficult to accept this progressive thought and will stick to the existing regulations. Accepting change silently will undermine the legal certainty that has been accepted as a doctrine for them. As long as there are no formal changes, there will be no legal changes.

Here we see a praxis that accepts laws as final schemes, not as fluid and flowing rules. In such circumstances, the law will become an obstacle rather than facilitating real processes in society.

One of the things that David Reid and Sinta Dewi Rosadi are worried about is psychological problems. Reid revealed, the existence of the internet alone has made some people addicted. Moreover, the *metaverse* is even more seductive than the internet. People can spend their days in the *metaverse*. This will have psychological implications. Reid sees *metaverse* addiction to be a real thing that will come very quickly.

Mental health issues are also our concern. It must be anticipated. This mental problem occurs because when entering the virtual world, the platform offers beautiful things that netizens might want and can achieve. However, netizens still have to return to their respective realities. According to Sinta, because the *metaverse* will affect the mind. We become delusional and actually the *metaverse* sells hallucinations.

In America, people with delusions are acquitted of all punishments. That means he's close to madness. In addition, people will find it difficult to sleep, depressed, paranoid, eventually mental illness will occur.

Furthermore, Sinta emphasized that she does not support technology that is developing so rapidly. However, caution must be maintained because netizens are basically a market for technology companies such as Facebook, which has now changed its face to Meta, Google, Microsoft, or Roblox.

Back to the movie Ready Player One, after making OASIS named James Halliday die, the High Five, the new manager of OASIS, finally made an unpopular policy, namely closing OASIS on Tuesdays and Thursdays. This is done to force the user back to life to the real world. As stated at the end of Ready Player One, the real world is the only real thing (Rita & Dewi, "Digital Regulation: Time to Measure Potential Problems in the *Metaverse*", *Kompas Daily*, 15 February 2022:3).

Succeed or not, all the humans who are presented in the legal stage tell and remind us that the law is not just a regulation, nor is it a machine, but is full of roles played by humans themselves.

From the description above, it can be seen that the law is never deserted from the flash of humans who carry out the law. Since the presence of regulations, legal systems, procedures for carrying out the law and so on, humans have played a very large role. Humans are the ones who make the rules and so on, so that everything returns to humans as well.

So once again, let the law flow through human hands which hopefully will fall on those who are elected, progressive and full of integrity.

4 CONCLUSIONS

1. The *metaverse* phenomenon shows how the world will not simply return to its pre-pandemic situation. The post-pandemic world will move in another direction. This phenomenon has inspired the thesis obtained in this study, namely "a *metaverse* universe civilization being able to coexist with the Covid-19 pandemic is not an impossibility, but a necessity", who observes the changes in civilization, seeks solutions in creative and progressive ways. Two years of the pandemic has indeed ravaged the life of all nations. For the sake of safety, humans must limit mobility and association. If you need to interact, there are many requirements and can't last long. Hope remains burning with advances in therapy and vaccines as one of the ultimate weapons. *Homo homini socius* changed to *Homo homini solitarus*. Humans as social creatures, who used to be friends with each other, were suddenly limited by the rules to become solitary: lonely alone. There are no get-togethers, even school and worship takes place from home. However, as *homo sapiens* – wise intelligent human beings – efforts towards endemic continue to be made. The coverage of the second dose of Covid-19 vaccination reached 56.8 percent worldwide, while in Indonesia it was 62.1 percent. Virus mutations also show a weakening tendency. From the fierce Delta to the less severe Omicron. According to the laws of nature, a virulent virus will quickly perish with the death of humans as its host. Omicron is also predicted to become Omi-flu with mild symptoms. The World Health Organization (WHO) has yet to

show signs of lifting the pandemic status. Vaccination coverage is still low, especially in developing and poor countries, one of the main considerations. Indonesia should not be in a hurry. Health protocols must still be a reference. *Solus populi suprema lex*, the safety of the people is the highest law.

2. In the absence of a comprehensive and integrated regulatory framework and supervision of the “*metaverse*” universe, the position of investors or users is still not fully protected. This is very necessary to understand for anyone who wants to enter the “*metaverse*” civilization universe because there are no comprehensive rules that can guarantee the interests of both investment and users. Although an analysis of technology company stocks states that the world of immersive technology is undergoing a seismic shift as new innovations rapidly change the digital world we live in, a “*metaverse*” universe has emerged, a symbol of the transfer of civilization, which is touted by some as the future of the internet. . It takes a mature understanding for investors to buy shares of technology companies that will build a “*metaverse*” universe. Don't let them be provoked because of the sensation factor and the excitement of the Virtual Reality (VR) and Augmented Reality (AR) worlds. The increasing number of investors and users of the “*metaverse*” civilization universe must of course be accompanied by adequate regulatory and supervisory standards to protect their interests. With the absence of adequate regulation and supervision, there are several things that investors and users must pay attention to. First, it requires qualified literacy, both related to digital literacy and “*metaverse*” literacy. The sensational factor and the excitement of the VR and AR world should not be the main reason as an investor. Fundamental factors must be the main priority in the decision-making process. Second, it must correctly understand the aspects of the potential risks that may occur in entering the “*metaverse*” civilization universe as the main basis for decision making. Third, not all countries have adequate regulatory and supervisory frameworks so that investors and users must be fully aware of the aspects of legal protection and profit and loss in entering the “*metaverse*” universe, a symbol of the transfer of civilization in the midst of digital economic hegemony.

3. Indeed, the time has come, we begin to measure the potential for the “*metaverse*” problem as a strategic effort to realize the Roadmap and Master Plan for the Transformation of the Digital Economy and the Progressive Legal Transformation of the “*Metaverse*” Civilization in the pandemic era. Digital economic transformation and progressive law originating from the philosophical values of spiritual intelligence (Spiritual Quotient/SQ) that promote the harmony of nature and its contents. In the era of the pandemic, achieving harmony means being able to ensure the handling of Covid-19 while encouraging economic recovery so that the community's economy is able to rise and accelerate. This pandemic is used as a momentum to carry out a fundamental transformation, everyone must have that desire so that our economic resilience exists, because this pandemic provides an opportunity to jump up. We must take advantage of this momentum, to improve ourselves and carry out a massive transformation, so that we hope

that, after Covid-19 is over, we are already in a better position on the ladder towards the new normal order. There are three things that need to be considered in order to realize the transformation of the digital economy and the transformation of progressive law in implementing the Indonesian *metaverse* project because it is carried away by the currents of global economic trends. First, working on business segments in the *metaverse* ecosystem. Second, the paradigm and governance of inclusive health legal certainty, including the community must be ready to coexist with the virus and community immunity (herd immunity); and the resilience of the digital security system is an absolute requirement for the running of the *metaverse* ecosystem. Third, the *metaverse* civilization transforms into progressive law carrying a social, cultural, and environmental based *metaverse*, realizing harmony and glorifying nature (the universe). The spirit of glorifying nature, humans, and culture (local wisdom), we must continue to welcome the future and we have a strong commitment to implement "bringing justice to the people."

4. In the roadmap for digital economic transformation and progressive legal transformation, the 5 Great Transformation Strategies for the "*metaverse*" civilization of the post-modern era can be formulated. First, the Smart and Healthy *Metaverse* Universe, through the transformation of health development, namely a new normal order, coexistence with viruses and community immunity (herd immunity) and education that aims to increase the productivity of Human Resources (HR). Improving the quality of human resources through the strategy of realizing healthy nutritious human resources, intelligent human resources with strong character and creative and innovative human resources. This potential can be exploited optimally with the condition that the quality of digital infrastructure is adequate. Second, the Productive *Metaverse* Universe, through a strategy to increase the workforce towards a potential "*metaverse*". Indonesia needs to have human resources with capable digital capabilities and skills. A qualified digital talent will make this country not only a market, but also a player in the field of technology. Third, Inclusive *Metaverse* Civilization, through strengthening enablers or levers, namely: (1) knowledge to discover, understand, and build new technologies based on virtual reality (VR) and augmented reality (AR); (2) technology to see the possibility of development in a country; and (3) the level of readiness of a country to take advantage of digital transformation. Fourth, *Metaverse* Smart, through strengthening digital infrastructure with 100 percent coverage and quality, increasing digitally skilled human resources, developing various public and private services digitally and digitizing the economy. Fifth, Digital Security Literacy, through the toughness of the digital security system is also an absolute requirement for the running of the *metaverse* ecosystem. If you put digital security literacy aside, the *metaverse* can be a user's nightmare.

5. Broadly speaking, there are seven main study areas in the *Metaverse* Ecosystem Development Master Plan. First, cultural studies that analyze the noble values of culture, especially local

wisdom to be promoted to the international world and preserved and passed on to future generations. Thus, the integration of culture with a *metaverse* ecosystem based on culture, the environment, and sustainable development. Second, social studies in analyzing existing social dynamics, such as human resources, stakeholders involved in activities, social conflicts that have occurred and may occur, as well as analysis of the handling of these social conflicts. Social studies produce social engineering directions that can be aligned with the development of a *metaverse* civilization, namely social capital. Third, economic studies to obtain an overview of digital economic activities, including business processes and value chain relationships with other sectors in the post-modern era. Fourth, the study of zoning for sustainable digital economy development by mapping supply-demand, determining branding, determining the theme of digitalization development, vision and mission of development oriented to developmental justice in each zoning. Fifth, an institutional study in formulating a Post-Modern Era Destination Management Organization management model in a Structured-Substance-Cultural-Integrity manner. Sixth, infrastructure studies that focus on analyzing the needs of supporting infrastructure based on the principles of sustainable development, without compromising the socio-cultural approach. Seventh, review of action plans with progressive legal quality.

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Inspired by the nick above, although the message is too simple, it is full of contemporary meaning and dispensation. Law should be able to keep up with the times, be able to respond to changing times with all the basics in it, and be able to serve the community by relying on the morality aspect of the human resources of law enforcement itself.

Progressive law and progressive jurisprudence cannot be called a distinctive type of law and a finite scheme, but rather a flowing idea, which does not want to be trapped in the status quo, so that it becomes stagnant. Progressive law always wants to be loyal to "law is for humans." Progressive law can be likened to a guide that always warns, the law must continuously destroy, replace, free stagnant laws, because they are unable

to serve a changing environment. That is why the law always flows, because human life is full of dynamics and changes from time to time. Such human life cannot be contained strictly into one chart or another which is finished and must not be changed. The chart must be open, because it is not humans for law, but on the contrary, law is for humans. Forms, solutions, theses (propositions), and theories must also flow to maintain the greatness of human life in this universe.

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