

# Clinical Legal Education in Indonesia Objectives and Advantages

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## Abstract

Clinical Legal Education (CLE) in Indonesia embodies a transformative approach to legal education, with distinct objectives and advantages. CLE's primary goals include enhancing practical skills, bridging the gap between theory and practice, and fostering a sense of social responsibility. Through real-world engagement, students develop crucial skills like legal research, client counseling, and courtroom advocacy. The objective of promoting community engagement aligns with Indonesia's commitment to social justice, encouraging legal practitioners to address the needs of marginalized communities. Additionally, CLE contributes to ethical and professional development, guiding students through real ethical dilemmas to establish a robust ethical foundation. The interdisciplinary nature of CLE promotes collaboration with professionals from various fields, providing students with a holistic understanding of legal issues and their broader societal implications. The advantages of CLE in Indonesia are manifold. Graduates with CLE experience exhibit enhanced legal competence, making them highly sought after by employers.

This practical skill set not only increases employability but also positions graduates to excel in a rapidly evolving legal landscape. The networking opportunities facilitated by CLE contribute to the building of professional relationships crucial for career advancement and mentorship. Moreover, CLE students become agents of legal reform, actively contributing to improvements in the legal system and its responsiveness to societal needs. In essence, CLE in Indonesia stands as a catalyst for producing socially conscious, skilled legal professionals equipped to address the challenges of the legal profession.

### **Keywords**

*Clinical Legal Education, Legal Education, Indonesia*

## **I. Introduction**

As originally conceived, clinical legal education operated primarily within the context of litigation, social justice lawyering, and live-client in-house clinics. Over the years, diverse models of clinical education have emerged: non-litigation clinics such as transactional clinics, mediation clinics, and legislative policy clinics; externship programs; hybrid clinics that combine aspects of direct representation and externship placement; and the expansion of clinical education in countries around the globe. In many respects, the pedagogies of these diverse models have been developing outside the mainstream of clinical legal education

through forums such as distinct conferences dedicated to transactional clinics, externships, or global justice issues.

The practice of clinical legal education seeks to bring the pedagogies from these diverse models of clinical legal education to center stage, examining the methods and assumptions of non-litigation, externship, hybrid, and international clinic models and engaging questions about how these pedagogies can or should inform earlier understandings of clinical education, lawyering skills, and social justice work.<sup>1</sup>

An exploration of the diversification of clinical legal education compels a focus on the divergent approaches adopted by both clinical faculty and law school administrations. A predominant mode of clinical education involves teaching the professional skills of interviewing, fact investigation, counseling, and negotiation within a framework that assumes litigation as a backdrop. The rise of non-litigation clinics, however, has led to pedagogies of lawyering skills organized around the different objectives, methods and competencies of non-litigation work. Moreover, the role of clinicians in assisting law schools to develop lawyering skills training across the curriculum challenges the model of social justice lawyering that has shaped the growth and development of traditional clinical legal education, re-framing questions about the trade-offs between teaching skills and advancing the social justice mission of clinics.

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<sup>1</sup> Widiatedja, I. Gusti Ngurah Parikesit. "Fostering Social Justice through Managing Civil Law Clinic in Indonesia: A Comprehensive Framework and Practice." *Mulawarman Law Review* (2018): 1-14; Wilson, Richard J. *The global evolution of clinical legal education: More than a method*. (Cambridge, MA: Cambridge University Press, 2017); Bloch, Frank S., ed. *The global clinical movement: Educating lawyers for social justice*. (Oxford: Oxford University Press, 2010).

Clinical Legal Education itself is defined in different ways throughout the country, sometimes also defined differently in different law faculties but in the same country. The term Clinical Legal Education in this regard can be defined as “a process of learning with the intention of providing law students with practical knowledge, skills, values in order to realize legal services and social justice, implemented on the basis of teaching methods are interactive and reflective”.<sup>2</sup> Knowledge Element is an element related to practical knowledge to college student. Social Justice, law and human rights are an example knowledge that must be mastered by students. For skill (Skills) related to the mastery of student skills such as lawyering technique, advocacy skills and others, while values are related to alignment of social justice values.<sup>3</sup>

To develop it required three components that are the glue of walking clinical law education, namely:

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<sup>2</sup> Chesterman, Simon. "The globalisation of legal education." *Singapore Journal of Legal Studies* July 2008 (2008): 58-67; Anderson, Michelle J. "Legal Education Reform, Diversity, and Access to Justice." *Rutgers Law Review* 61 (2009): 1101-1036.

<sup>3</sup> Arifin, Ridwan. "Clinical Legal Education for Human Rights Issues: How Students Can Implement Their Basic Knowledge of Human Rights in Reality." *International Conference on Clinical Legal Education* 1, no. 1 (2017); Sastroatmodjo, Sudijono, and Dani Muhtada. "Internationalization of Legal Education in Indonesia: Insights from Faculty of Law Universitas Negeri Semarang." *International Conference on Clinical Legal Education* 1, no. 1 (2017); Arifin, Ridwan. "Democracy on Indonesian Legal Reform: How Can People Participate on Laws and Regulations Establishment Process." *Journal of Indonesian Legal Studies* 2.2 (2017): 155-158; Kusumaatmadja, Mochtar. "Pendidikan Hukum di Indonesia." *Jurnal Hukum & Pembangunan* 24.6 (2017): 491-501.

- a. **The planning component**, students prepare and plan for a real legal practice experience. In the planning component, students and supervisors formulate a practice program that benefits both the students themselves and the legal clinic.
- b. **Component of practice**, students test ability of lawyering skill from student with supervision from senior lecturer or competent practice lawyer.
- c. **The reflection component**, related to the student process reflects on his experience and the evaluation of the students as well as on the organization of the clinical law education itself in general.

There are a number of objectives of Clinical Legal Education, among others; teaching legal theory theories, the expertise of pragmatic practices, and professional responsibilities, introducing students to social justice issues through their experience in advocating marginalized groups. Clinical Legal Education provides the foundation for students in pursuing a professional career later that has a great commitment to ethics and values of social justice. In addition to students, Clinical Legal Education provides necessary legal services to communities outside the law faculty, as well as immersing legal academics (lecturers and students) into the world as actors rather than just observers.

## II. Objectives and Advantages of Clinical Legal Education

There are many objectives of Clinical Legal Education, namely: *First*, the legal clinic program is aimed at providing structured

educational opportunities for students, to augment the student experience in real memorization practices or through simulation of clients, as well as to acquire the knowledge, expertise, and values of the experience.

*Secondly*, the legal clinic is intended to increase support for legal assistance to marginalized communities. *Thirdly*, the legal clinic is aimed at instilling a spirit of public service and social justice, and to establish the basis for developing legal profession responsibilities. *Fourth*, the supervisor lecturer at the legal clinic contributes to the development of a scholarship on the expertise and practical legal theories that link the academic world with the organization of the prostitution more closely.

*Fifth*, the use of interactive and reflective teaching method that encourage students to perform the above activities, which are not obtained in college. Furthermore, this reflective learning method has proven to be the most effective way for student learning eternally. *Sixth*, the legal clinic is aimed at strengthening civil society, taking care of the professional responsibilities of lawyers through emphasizing the need for legal assistance to protect marginalized communities.

### **III. Establishment of Law Clinics on Faculty of Law, Universitas Negeri Semarang**

Law schools have responded to the realities by expanding the range and variety of externship program designs, by developing hybrid models that divide client work, student supervision and classroom teaching between in-house clinicians and adjuncts, and by creating new courses that utilize aspects of externships (e.g. court

observation or shadowing) together with more traditional approaches. These diverse models break down some of the traditional distinctions between in-house clinics and externships, prompting both questions and creative dialogue through the contrast of clinical pedagogies.

The development of law study in Indonesia is highlighted by various parties, especially concerning the implementation of the practice of proficiency for students who are still lacking. This prompted Universitas Indonesia (UI) Faculty of Law in cooperation with Faculty of Law Universitas Negeri Semarang (UNNES) held Dissemination of Law Clinics, Tuesday-Wednesday, 15-16 August 2017 at Faculty of Law UNNES.

The UI Faculty of Law team, led by the Prof Dr Topo Santoso SH MH, who presented several law clinics in UI. He emphasized that we are trying to provide a picture of legal clinics and we hope this legal clinic can be one of our efforts to build our human resources," said the Professor of Criminal Law. Meanwhile, Dr. Rodiyah SPd SH MSi, Dean of the Faculty of Law UNNES conveyed that the presence of legal clinics will strengthen our student character and automatically improve the quality of our graduates.

Faculty of Law UNNES through the Decree of Dean has established several legal clinics, namely Civil Law Clinic, Criminal Law Clinic, Legal Clinic Legal Drafting, Anti-Corruption Law Clinic, Criminal Law Clinic, and Law Clinic of Intellectual Property.

## IV. References

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