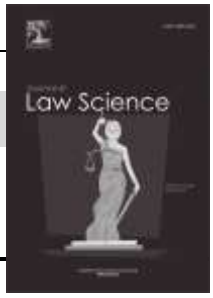
Journal of Law Science
Volume 7, No. 2, 2025
e-ISSN 2684-9658 pp. 224-234
www.iocscience.org/ejournal/index.php/JLS



Examining 5 types of evidence in article 1866 of the civil code as a pillar of civil law enforcement in Indonesia

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ARTICLE INFO

Keywords:

Civil Law;
Digitalization;
Evidence.

Article history:

Received Jan 19, 2025;
Revised Jan 30, 2025;
Accepted Feb 21, 2025;
Online Apr 30, 2025.

ABSTRACT

This research examines the use of five categories of evidence as defined in Article 1866 of the Civil Code (KUH Perdata) in the digital age, particularly electronic evidence as a legitimate form of proof. This research also outlines legal and practical challenges in employing non-traditional evidence in Indonesian civil justice. Normative legal study is descriptive and juridical-analytical. Along with associated rules and regulations, periodicals, legal literature, and comparative studies of other nations' legal systems are employed. The research found that although Article 1866 of the Civil Code provides a fundamental foundation for civil law evidence, the legal vacuum around electronic evidence produces legal ambiguity and inconsistency in court application. Lack of technical rules for digital evidence authentication, judge interpretation variances, and law enforcement technological competence are further challenges. Legal reform to incorporate electronic evidence, technical training for lawyers, technological infrastructure development, and Civil Code and Electronic Information and Transactions Law harmonization are suggested answers. This research offers an integrated strategy including all stakeholders to construct a civil law evidence system that is sensitive to contemporary changes and ensures justice and legal clarity for all parties.

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1. Introduction

An important part of Indonesia's system of civil law evidence is Article 1866 of the Civil Code. Resolving conflicts and determining justice based on established facts are both facilitated by the idea of evidence in civil law (Simamora et al., 2022). Evidence is defined in legal theory as the use of evidence that is expressly governed by law to affirm or refute the veracity of a legal occurrence. Written evidence, witness testimony, accusations, confessions, and oaths are the five categories of admissible evidence outlined in Article 1866 of the Civil Code.

A judge's ruling must be grounded on legitimate and legally responsible facts in order to attain the concept of substantive justice, which is the philosophical goal of evidence regulation. Law,

according to this theory, is more than just a set of regulations; it's also a means by which objective facts may be revealed (SINAGA, 2024). Legal positivism is a school of thought in legal theory that holds that evidence must adhere to formal standards established by the Civil Code. But this isn't always the case; judges often exercise their discretion in applying standards of appropriateness and fairness to evidence evaluation (Frebriandini, 2014).

Article 1866 of the Civil Code regulates evidence, which, looking back, is a holdover from the judicial systems of Continental Europe, which place a premium on formal proof. Concrete and written proof is necessary for this system to function legally. For instance, official papers or letters with legal power may attest to the presence of written evidence, which is often regarded as the strongest kind of proof (Anggraeny & Al-Fatih, 2020). With the advent of more contemporary legal paradigms, however, it has become clear that witness statements and claims, in addition to written evidence, play an essential role in certain situations.

Jeremy Bentham, Rudolf von Jhering, and other legal theorists have distinguished between formal and material evidence. For instance, Bentham maintained that evidence had to be utilitarian, meaning it ought to be geared toward uncovering the truth that serves justice the best. At the same time, von Jhering stressed the significance of evidence that is methodically organized in order to attain legal certainty (Muhtar, Tribakti, et al., 2023). The two points of view highlight the reality that evidence is connected to the ideals and aims of the law as a whole, rather than just the gathering of facts.

The gap between positivist legal theory and utilitarian approaches in the application of digital evidence lies in their differing priorities. Positivist theory emphasizes strict adherence to established legal frameworks, such as Article 1866 of the Civil Code, which defines five traditional types of evidence. This rigid interpretation often struggles to accommodate the dynamic nature of digital evidence. In contrast, utilitarian approaches prioritize practicality and the broader societal benefits of justice, advocating for the inclusion of digital evidence to reflect technological advancements. This divergence creates tension in civil law enforcement, as courts must balance preserving legal certainty with adapting to modern evidentiary needs to ensure fair and effective adjudication.

Article 1866 of the Civil Code regulates evidence, however putting this into reality may be difficult for lawyers, particularly when dealing with non-traditional forms of evidence like digital or electronic evidence. The acknowledgment of digital evidence in Indonesian civil law demonstrates the adaptability of the legal system in addressing technological advancements, even if it is not directly mentioned in this article. As a result, scholars and lawyers have been debating how to update long-standing rules of evidence to reflect modern circumstances.

The evidence issue in civil law, particularly as outlined in Article 1866 of the Civil Code, illustrates how challenging it is to apply long-standing norms in the face of rapid technical and legal change. The formal framework of proof in the Indonesian civil court system is outlined in this article, which governs five forms of written evidence: witnesses, accusations, confessions, and oaths (Siburian & Wijaya, 2022). Emergence of digital evidence and other forms of electronic evidence is one example of a scenario where the five forms of evidence mentioned above encounter obstacles that are not specifically addressed by the law. Under these circumstances, judges often have a conundrum: they must adhere to the Civil Code's formalities, but they must also provide a verdict that represents the substantial fairness of the matter at hand.

The Civil Code's Article 1866, which highlights the significance of formal evidence in the judicial process, was originally borrowed from the legal system of Continental Europe. The

need of providing clear proof, particularly in written form, to provide legal certainty is the foundation of this system. On the other hand, showing pertinent facts in complicated instances might be challenging due to the restrictions imposed by the regulation of this evidence. A more expansive legal understanding is required, for instance, to recognize digital evidence as a legitimate form of proof in cases involving digital transactions or electronic conversations, as the "written evidence" mentioned in Article 1866 is not always accessible in the form of traditional papers (Sarwono, 2011).

Blockchain technology's secure, transparent, and tamper-resistant storage and verification of digital documents will boost electronic evidence in civil law. Digital evidence's authenticity and integrity are addressed by blockchain's decentralized structure, which prevents data from being changed after recording. Using blockchain as an immutable database of agreements or occurrences may help civil disputes over contracts, transactions, and property rights.

By providing a verifiable trail of activity, blockchain's timestamped and cryptographically encrypted records boost digital documents' evidential value. Blockchain-stored evidence reduces the danger of forgery or manipulation, making electronic evidence more trustworthy. Regulatory frameworks for blockchain admissibility and blockchain knowledge must be added to the legal system to properly exploit it. Blockchain's implementation in civil law might redefine evidence norms, improving legal efficiency and accuracy while solving digital age concerns.

Thinking about how various schools of legal thought have interpreted the role of evidence only adds more complexity to the problem. In the case of legal positivism, for instance, the significance of following formal norms is highlighted, and evidence must conform to the standards established by law. However, utilitarianism and critical legal theory contend that, despite the need to violate the letter of the law, evidence should be oriented toward attaining substantive justice (Harahap et al., 2023). Judges are put in a tough position because they have to adhere strictly to the law while also accommodating evidence that isn't specifically outlined in the rules.

Furthermore, judges' divergent views on the weight of various pieces of evidence provide an additional obstacle to carrying out the provisions of Article 1866 of the Civil Code. Generally speaking, the evidential power of written evidence is far higher than that of remarks or accusations made by witnesses. But if written evidence is impossible to get due to technical or practical reasons, comments or accusations made by witnesses may be the only evidence that is available. Relying too much on textual evidence also runs the danger of missing key details that may be shown via other types of evidence (Andani et al., 2023).

In today's civil law system, the ability to adapt to new forms of evidence, such electronic evidence, is crucial. Legal confusion arises for the disputing parties due to the Civil Code's lack of express rules regarding this topic. Because of this, digital evidence is more vulnerable to abuse or manipulation, and its veracity is sometimes hard to ascertain without the use of technology and specialized knowledge. Consequently, the current evidence rules in Indonesian civil law need change. This may be achieved by either revising the Civil Code or establishing new laws that control the admissibility and use of electronic evidence during trials.

All things considered, these problems highlight the bigger picture of how difficult it is to reconcile long-standing legal traditions with the need of modernization. As a normative framework governing evidence, Article 1866 of the Civil Code reflects the complexity and volatility of Indonesian law in light of social, technical, and global developments.

Given this background, the research question for this study is as follows: (1) In light of the evolution of electronic evidence in the modern day, how may the five forms of evidence outlined in Article 1866 of the Civil Code be applied? Additionally, what are the practical and legal hurdles to incorporating digital evidence and other non-traditional forms of evidence into Indonesia's civil evidence system?

2. Method

In this study, a normative legal research method was utilized to thoroughly examine the provisions of Articles 1338 and 1343 of the Civil Code. These articles pertain to the principles of freedom of contract and good faith, and they are particularly relevant to the circumstances surrounding the scholarship recipient's obligation to return fees and the unilateral termination of the agreement (Abdussamad, 2021). Primary sources used for this study include statutes and regulations pertaining to contracts, while secondary sources include scholarly articles, books, and analyses of other nations' legal systems (Soerjono Soekanto and Sri Mamudji, 2007). In the context of a unilateral termination of the agreement, this research aims to address questions about the legal foundation, the degree of legal clarity, and the difficulties in putting the law into practice.

This research employs a descriptive normative technique to address the first issue formulation, which pertains to the interpretation and application of Articles 1338 and 1343 of the Civil Code in situations of unilateral termination of a scholarship agreement (Anggraeny & Al-Fatih, 2020). This method seeks to thoroughly examine the basis of Indonesian civil law, which is based on the principles of good faith and freedom of contract, and to determine how well these principles safeguard the interests of the parties involved and provide them with legal certainty. Furthermore, this research delves into the possibility of an unbalanced legal connection between the scholarship's supplier and recipient, particularly with regard to the determination of the legitimacy and legal grounds for unilateral termination (Kusuma & Budiartha, 2021).

The second articulation of the issue is what are the practical and legal difficulties to accommodating the duty to recover expenses due to unilateral termination of the agreement? This paper takes a juridical-analytical method to solve this question. We utilize this method to find issues with the return costs duty, such as disagreements over how to interpret Articles 1338 and 1343 of the Civil Code, etc. Aspects such as contractual fairness, evaluation of good faith, and laws on the recovery of damages in the framework of civil law are also examined in this research (Anggraeny & Al-Fatih, 2020).

3. Analysis and Results

3.1. The Application of Five Types of Evidence in Article 1866 of the Civil Code Can Adapt to the Development of Electronic Evidence in the Digital Era

A key component of civil law that governs the procedure and conclusion of litigation is evidence. Written evidence, witnesses, accusations, confessions, and oaths are the five categories of evidence governed by Article 1866 of the Civil Code of Indonesian law (Yudhanegara et al., 2024). The legal heritage of Continental Europe, which is the source of this clause, places a premium on formal evidence as a means to attain legal certainty. Electronic evidence, which is not specifically addressed in Article 1866 of the Civil Code, has emerged as one of the new obstacles to the conventional idea of proof brought about by technical advancements in the digital age. Understanding the concepts and legal theories that underpin evidence and how they might be used in a current setting is, therefore, crucial (Afnizar et al., 2022).

Truth and justice are often linked to the concept of evidence in legal philosophy. A utilitarian legal scholar named Jeremy Bentham argued that the main goal of evidence is to discover the truth in a way that would serve justice the most (Yanto, 2021). Bentham argues that evidence should not be constrained by formality but should include all important and verifiable information. This viewpoint differs from the positivist one put out by Hans Kelsen, who argued that evidence ought to adhere to norms that have been officially established in the legal system. Both illustrate a basic conflict between two competing values: the need of a rigid rule of law enforcement system and the value of a flexible response to new circumstances (Muhtar, Maranjaya, et al., 2023).

Legal certainty and substantive justice are similarly entwined with the notion of proof. If the parties to a dispute want their court rulings to be predictable, they require legal certainty, which means the conclusions must be based on legitimate evidence recognized by the law. Substantive justice, on the other hand, demands that judges take into account the facts and circumstances of each case when making their decisions, rather than relying only on formalities. Because of the prevalence of digital transactions and online interactions as the most reliable sources of information in contemporary conflicts, electronic evidence has significance in this setting (Amri, 2020).

Changes in evidence collection, storage, and presentation have resulted from advancements in information technology. Whether it's a business, familial, or criminal case, electronic evidence like emails, texts, or digital recordings is often crucial to the evidential procedure. Nevertheless, there are still technological and legal hurdles to overcome when using electronic evidence in Indonesia, since this is not specifically addressed in Article 1866 of the Civil Code (Simamora et al., 2022).

Legal scholars like Satjipto Rahardjo stress the need for a more modern and contextual approach to evaluating electronic evidence in order for the law to remain relevant without compromising its essential principles (Rahardjo, 2011). An additional important voice in this debate is Rudolf von Jhering, who contends that the rule of law should serve as a means to an end—namely, the attainment of social objectives, such as the adjustment to evolving social requirements. Von Jhering's method lends credence to the notion that evidence regulation has to have the adaptability to incorporate fresh evidence that emerges as a result of technology advancements (Mecke, 2018). This necessitates a change in the law of evidence in Indonesia, either in the form of new laws or a more expansive interpretation of the law by courts.

Despite the pressing need to incorporate electronic evidence into Indonesian civil law, a number of issues have surfaced, putting the system's adaptability to the test. There is a major loophole in the law regarding electronic evidence in Article 1866 of the Civil Code, which does not address this issue at all (Andriyani et al., 2023). This void not only leaves the law open to interpretation by different judges, which might result in inconsistent rulings, but it also makes the law less clear. Indonesian law is based on the Continental European legal system, which may be problematic when dealing with digital data and other forms of dynamic evidence due to its strict normative principles.

The legitimacy and legality of evidence presented electronically is the next obstacle. Because of the ease with which highly technical individuals may alter digital evidence like emails, text messages, and metadata, the validity of such evidence is often called into question in legal proceedings. There are pros and cons to using electronic evidence. Pros include its accuracy and transparency; cons include its susceptibility to hacking and the lack of standardized verification methods. Due to a lack of sufficient technological standards for the authenticity of digital

evidence, the Indonesian judicial system runs the danger of accepting this kind of evidence without proper safeguards.

However, there are cases when the interpretation of Civil Code Article 1866 does not allow for electronic evidence to be sufficiently flexible. It is difficult for judges to strike a balance in instances involving digital evidence between following the letter of the law and the spirit of the rule in order to achieve substantive justice (YUSRI, 2023). The need to innovate in evidence is often at odds with the strict application of legal standards in legal systems across Continental Europe, including Indonesia. Cases involving digital communications or electronic transactions, for instance, often do not warrant an overemphasis on traditional textual evidence.

Furthermore, one of the major obstacles to the use of electronic evidence is the question of technological competency. Judges and attorneys, who are responsible for upholding the law, often lack the necessary technical knowledge to assess the reliability of digital evidence. Sometimes, good electronic evidence might be disregarded because of a lack of knowledge of technology, and vice versa. Because of this, there has to be reform in the legal education system and specialized training for justice system actors to better handle electronic evidence.

The policy and regulatory spheres provide further breadth to this problem. There is a law that acknowledges electronic evidence—the Electronic Information and Transaction Law—but it is still not well integrated with the Civil Code. Some parties may try to dodge accountability or make unfounded claims by taking advantage of this legal gap that is created by the absence of synchronization (Puluhulawa et al., 2023). The Budapest Convention on Cybercrime is one of many international treaties that address the specifics of electronic evidence; these treaties provide a thorough legal framework for the handling of such evidence. To better integrate its legislation, Indonesia may take a page out of this book (Beridiansyah, 2023).

We need a holistic and integrated strategy that covers regulation, judicial practice, and capacity development of legal actors to solve the challenges with Article 1866 of the Civil Code in the digital age. To include electronic evidence as legitimate proof, the first critical step is to alter the law by revising or interpreting Article 1866 extensively. This update has to keep the fundamental concept of legal certainty while also catering to the requirements of the digital age. Legislators and the government may write new rules outlining the authentication protocols and verification mechanisms needed for electronic evidence to be genuine, thereby preventing fraudulent data manipulation and abuse.

It is also crucial to train law enforcement officials, including attorneys, judges, and detectives, to improve their technical abilities. Both initial and ongoing education for lawyers should include specialized courses in IT, digital authentication, and electronic forensics. By ensuring that justice system actors possess sufficient technological competence, the likelihood of mistakes in the judicial process may be reduced via increased confidence and accuracy in reviewing electronic evidence.

To establish a cohesive legal framework, it is necessary to harmonize several statutes with the Civil Code, including the Electronic Information and Transactions Law. To avoid any potential for ambiguity in interpretation, the government may draft technical recommendations that link the Civil Code's regulations with the Electronic Information and Transactions Law's provisions (Rahman et al., 2024). All parties participating in the legal process may use these rules as a reference, and they may also include minimal requirements for the presenting of electronic evidence in court.

On a global scale, Indonesia may learn from the experiences of nations that have integrated electronic evidence into their justice systems. If local laws are to be more successful, it would be wise to compare them to those of other nations that have already implemented rules like the Budapest Convention or international standards pertaining to digital evidence. Opportunities for Indonesia to enhance its credibility and reputation in addressing global legal issues including digital aspects may arise as a result of this strategy.

A legal system that can adapt to new technologies while maintaining its foundation in justice and legal certainty can only be achieved through collaboration between the government, judicial institutions, academics, and legal practitioners. By implementing proposed amendments, Article 1866 of the Civil Code may be brought up to date and made into a modern, effective legal tool for the digital age.

3.2. Legal and Practical Obstacles in Accommodating Non-Traditional Evidence, Such as Digital Evidence, in the Civil Evidence System in Indonesia

To guarantee that judges base their findings on genuine and relevant facts, the civil justice system relies on evidence, a fundamental component. The five basic forms of evidence recognized by Indonesia's civil law system—written evidence, witnesses, accusations, confessions, and oaths—are outlined in Article 1866 of the Civil Code. This setup is indicative of a legal system that is shaped by the tradition of law in Continental Europe, which places an emphasis on formal law as the basis for clarity in the law. On the other hand, new forms of evidence have emerged as a result of societal shifts brought about by advances in information and communication technology, which the conventional judicial system is ill-equipped to handle. These days, digital evidence including emails, IMs, metadata, and social media data is often a key component of civil law conflicts. This is particularly true in situations involving tech-based contract violations, family disputes, and electronic commercial transactions.

The Indonesian judicial system continues to encounter several challenges when it comes to incorporating digital evidence, despite the fact that technology is playing an increasingly important role. The legitimacy and admissibility of digital evidence in court proceedings is still unclear due to the lack of specific regulation of this sort of evidence under Article 1866 of the Civil Code. Despite the fact that electronic documents may be used as evidence under the Electronic Information and Transactions Law, this provision is still not completely linked with the Civil Code, which is the primary legal framework for civil disputes. Because of this incongruity, there is a legal gap that some people use to cast doubt on digital evidence or, on the other hand, to argue that digital versions of more conventional forms of evidence are not legitimate (Wirara et al., 2020).

One of the main obstacles to accepting digital evidence is the lack of technological support, which is compounded by normative limits. Careful authentication methods are required to guarantee the legitimacy of digital evidence due to its unique qualities, such as its ease of manipulation, deletion, and difficulty to verify. So yet, there isn't a sufficient mechanism in Indonesia's court system to deal with this matter. Digital evidence that ought to be relevant and legitimate is often rejected due to a lack of defined technological standards for its collection, storage, and presentation in court. For instance, there's no assurance that evidence in the form of screenshots of emails or text conversations hasn't been altered, thus it's typically deemed inadequate in some circumstances. Expertise in information technology is sometimes lacking among judges and advocates, making it even more difficult for them to objectively evaluate the reliability of digital evidence.

The safeguarding of personal information and privacy is another real obstacle. Access to private information, including chat histories, web searches, and device metadata, is a common component of digital evidence collection. Gathering such material without a person's informed permission or a court order might infringe their right to privacy.

Meanwhile, security risks like hacking or unauthorized access may compromise the quality and admissibility of digital evidence in court. This disparity poses a challenging legal conundrum: although digital evidence provides speed and openness in the courtroom, its use must be restricted to safeguard people' basic rights.

Inadequate agency-to-agency cooperation and procedural processes can provide difficulties. Law enforcement, digital forensics specialists, and the appropriate government organizations must work together to gather, store, and analyze digital evidence, which often necessitates the use of complex technology and interdisciplinary knowledge. The cumbersome bureaucracy, shortage of trained personnel, and unclear operating standards in Indonesia often impede such collaboration. All parties to the dispute suffer as a consequence of the haphazard treatment of digital evidence.

The possible availability of digital evidence further casts doubt on the conventional idea of proof in civil law, which has always relied on tangible records and first-hand accounts. When a disagreement arises over copyright infringement or online defamation, for example, digital evidence is often both used as proof and becomes the subject of the argument. To make sure digital evidence is acknowledged and handled properly and proportionately in court, the law has to be more adaptable and flexible. Regrettably, with regards to both regulatory and technological ability, the Indonesian legal system is still unable to tackle this situation.

All of these problems show that Indonesia's legal system isn't quite ready for the digital age just yet. There have been some initiatives to incorporate digital evidence into the country's judicial system, but these measures have only gone so far and have not solved all the problems that arise when dealing with non-traditional evidence. Decisions at different levels of court may be contradictory since the use of digital evidence is often left to the discretion of judges. Both the disputing parties and the public's faith in the legal system take a hit in this predicament.

Revision of Article 1866 of the Civil Code is the first step in reforming the normative legal framework, which will allow digital evidence to be more easily accommodated in the civil evidence system. As part of this transformation, digital evidence must be officially acknowledged as a legitimate kind of evidence. Digital evidence's place in civil law may be better understood with the help of the Electronic Information and Transactions Law, which applies here. To ensure that courts and disputing parties are on the same page, the revised document must also provide a precise technical description and standards for the credibility of digital evidence. If we want this update to be thorough and effective, we may learn from the experiences of nations like the UK and Singapore that have made good use of digital evidence in their judicial systems.

Training and technical capacity development for law enforcement is an equally crucial option, alongside legislative change. Law enforcement officials, including judges and attorneys, need a solid grounding in IT, digital data authentication, and digital forensics. To reduce the possibility of making mistakes in judgment that might affect court judgments, this training can focus on how to assess the reliability of digital evidence. This calls for action from Indonesia's schools of law, which must begin to include courses on digital evidence into their undergraduate and graduate programs. Indonesia should take a page out of the nations that have already mastered

digital evidence and implemented legal training systems that are both adaptable and dependent on technology.

Another crucial solution is the harmonization of legislation between different authorities. There are a number of statutes and regulations that currently address digital evidence; they include the Civil Code, the Criminal Procedure Code, and the Electronic Information and Transactions Law. Legal ambiguity results from competing interpretations caused by this discord. The government may establish a task force to establish unified standards for the collection, preservation, and presentation of digital evidence in legal proceedings. Not only do these rules clarify things for the parties involved in the dispute, but they also make sure that the digital evidence procedure is done appropriately and respects human rights. According to policy studies, this method helps ensure that the law is consistently applied while decreasing the possibility of police personnel abusing their authority.

The development of a technology infrastructure to support the process of gathering and authenticating digital evidence is important from a technical standpoint. Indonesian courts are required to have software and security measures in place to guarantee the authenticity of digital evidence. As an example, one possible approach is to employ blockchain technology, which may provide an audit trail that is both visible and impossible to alter. It is also necessary to enhance collaboration with digital forensics organizations in order to provide technical assistance during authentication. Evidence from industrialized nations demonstrates that this sort of technological investment boosts public confidence in the judicial system while also making the justice system more efficient.

Lastly, a complete solution should include stronger legislation regarding data security and privacy protection. There should be safeguards in place to make sure that data gathering is done in a legitimate and reasonable manner, because digital evidence often requires access to personal information. Government action may be taken to bolster these rules by revising the EITL or by enacting data privacy laws that conform to global norms, such the General Data Protection Regulation (GDPR) of the EU. This method allows the Indonesian legal system to establish a fair and long-lasting framework by balancing the use of digital evidence with the preservation of individual rights. All things considered, these ideas aren't viable on their own and need to be put into play in a coordinated fashion. To make the civil evidence system more suitable for the digital age, we need to change the laws, improve technological capability, harmonize rules, build infrastructure, and safeguard privacy. The Indonesian legal system has the potential to overcome current challenges and provide justice and legal clarity to all parties involved with consistent and quantifiable application.

4. Conclusion

The digital era has presented substantial obstacles to Indonesia's civil law evidentiary system, as defined in Article 1866 of the Civil Code, notably addressing electronic evidence acceptance and regulation. The article's classical evidential framework is sound, but current situations necessitate forward-thinking revisions. Regulatory discrepancies, law enforcement technology gaps, and electronic evidence legal loopholes are the biggest difficulties.

Legal changes must reconcile the Civil Code with the Electronic Information and Transactions Law and link national legislation with international norms to solve these issues. This technique ensures excellent electronic evidence management and legal clarity. Technical training, infrastructure, and data security are equally important. Best practices from foreign legal systems may inspire a more competitive and adaptable local legal framework.

Managing electronic evidence in congruence with national and international law needs concerted efforts to incorporate global norms into local rules while preserving Indonesia's legal culture. This involves joining international digital evidence agreements, adopting global forensic methods, and promoting legal and technical collaboration across borders. For Indonesia's civil law evidence system to adapt to the digital age without sacrificing justice or legal certainty, government, court, academics, and practitioners must work together.

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