E-ISSN: 2723-2476
ISSN : 2723-1968
ACLJ, Vol. 4, Issue 1, 2023

NORMATIVE LEGAL RESEARCH IN INDONESIA: ITS ORIGINS AND APPROACHES

Tunggul Ansari Setia Negara[1*]
[1]Faculty of Law, Universitas Brawijaya, Malang, Indonesia
[*]tunggul@ub.ac.id (*corresponding*).

Abstract : The legal research method is one of the academic fields that continues to generate debate among law students and law colleges in Indonesia. This debate is important because the research method is a means for a legal scholar to obtain the truth. This article maps the debate on normative and socio-legal research, emphasizing the former type of research. This article explores the origins and debates of normative legal research methods in Indonesian legal education and some of the mainstream approaches commonly used in normative legal studies. It does not aim to develop a claim on the validity of normative legal research methods as the only research method but rather to position normative legal research proportionally in the legal scholarship in Indonesia.

Keywords: legal methods; legal approaches; socio-legal

I. INTRODUCTION

The legal research method is one of the academic fields that continues to generate debate among law students and law colleges in Indonesia. This debate is important because the research method is a means for a legal scholar to obtain the truth. For example, normative legal research in Indonesia still tends to be preferred for solving legal problems or cases using deductive reasoning. Indeed, legal education in Indonesia is still dominated by a doctrinal or formalist approach that neglects social science perspectives such as sociology, anthropology, and political economy (Wiratraman, 2019). However, this kind of development is gradually becoming obsolete among legal scholars. In higher legal education in Europe, the United States, and several Asian countries, there has been an increase in interdisciplinary and multidisciplinary-oriented legal research by combining various non-legal theories to answer legal challenges. The trend of increasing interdisciplinary and multidisciplinary legal research methods is also growing. It is welcomed by Indonesian legal scholars, who are increasingly dissatisfied with how normative legal research methods map legal issues that are increasingly complex and overlapping in various layers of jurisdiction.

The debate between normative law and socio-legal, which promotes an interdisciplinary and multidisciplinary approach, is not new in the development of legal science. In the 1920s, for example, Hans Kelsen and Eugene Ehrlich debated the nature of *rechtswissenschaft* (the science of law) by claiming that the opposing party did not understand the true scope and meaning of the law (Banakar, 2014). As one of the successors of the school of legal naturalism, Eugene Ehrlich

E-ISSN : 2723-2476
ISSN : 2723-1968
ACLJ, Vol. 4, Issue 1, 2023

developed his idea of 'living law' by observing the customary law of 9 tribes in central and eastern Europe that live side by side. Ehrlich uses legal anthropology to distinguish between laws created by the state that are written (*lex scripta*) and laws produced by non-state social organizations or associations that are unwritten (*lex non-scripta*). According to him, living law is not always expressed in legal propositions and positivized as written rules; it also appears as a fact of unwritten law that governs human life (Banakar, 2014). Kelsen opposed this kind of living law view because the law is intrinsically normative and positive. According to Kelsen, the ideas promoted by Ehrlich are not products of the discipline of law but of sociology which explores law as a social phenomenon. Differences in how to interpret and identify law will, in turn, affect how the legal methodology is used in legal research.

This brief article aims to map the debate on normative and socio-legal research, emphasizing the first type of research. As stated by Soetandyo Wignjosoebroto, research work is basically nothing but the search for new knowledge to answer problems for which the answer has yet to be known with certainty (Soetandyo, 2013). Like other legal research methods or non-legal research methods, normative research methods are intellectual guessing activities to find legal norms as the basis for justifying a legal phenomenon (Soetandyo, 2013). The research method is a way or procedure for a researcher in order to find the truth or solve a problem. Therefore, the choice of which legal research method is appropriate depends on the scope of the problem to be examined so that there is no single legal research method for all legal issues. This paper does not aim to develop a claim on the validity of the normative legal research method as the only research method but rather to position normative legal research in legal scholarship proportionately. The first part of this paper will discuss the origins of the legal research method debate and its impact on habitus formation among legal scholars in Indonesia. The following section discusses the scope and definition of normative law. Then, the final section discusses the mainstream approach in this type of normative legal research. This paper will close with a conclusion.

II. RESEARCH METHOD

This article uses a conceptual approach to understand the position of normative legal research in the debate on the legal method in Indonesia. As will be explained in this article, the conceptual approach offers nuanced philosophical explanations to understand why the law, including the legal discourse itself, appears and applies in societies.

III. RESULTS AND DISCUSSION

1. Legal Research Methods in Legal Higher Education in Indonesia

The attention of legal scholars to legal research methods first began to develop in the 1970s, along with increased foreign aid and cooperation between law faculties in Indonesia and law faculties abroad, especially in the United States and the Netherlands. In the mid-1970s, for example, the Minister of Justice Mochtar Kusumaatmadja established the Sub-Consortium of Legal Sciences, Indonesia's first attempt to restore the legal profession and national legal education had declined under Soekarno's guided democracy (Massier, 2008; Wignjosoebroto, 1994). The curriculum offered by the consortium covers the development of legal reasoning, training for legal practice, drafting contracts and legislation, and includes a multidisciplinary and interdisciplinary approach to law (Katz & Katz, 1975; Radhie, 1979). He advocated the idea of modernizing legal teaching and learning methods by emphasizing a sociological approach to legal education in Indonesia (Sinaga, 2018). According to Mochtar, a multidisciplinary and interdisciplinary approach is needed because economic, social, and political developments can significantly impact the legal system (Kusumaatmadja, 1993). As Minister

of Justice, Mochtar continued to promote legal higher education reform to develop a post-colonial legal system (Vel & Bedner, 2021). The curriculum at that time also encouraged students to practice their legal skills through legal aid bureaus and legal clinics to help "students as law degree candidates not to think narrowly (parochial) and to be outward looking" (Reksodiputro, 1989).

Despite these extraordinary developments being widely praised, the process of reforming legal higher education in Indonesia has unfortunately yet to be matched by improvements in the quality of the legal system. As is well known, legal institutions—especially the judiciary, such as the Supreme Court—are politically subject to the executive's inclination (Pompe, 2005; Shidarta, 2013). Systematic corruption permeates the entire national legal system, undermining the professional standards of legal scholarship, and many universities or higher education institutes of law are trapped in patronage relationships with their counterparts in the central ministry (Tahyar, 2012). A corrupt legal system will cumulatively influence the development of legal scholarship and, in turn, form a habitus among legal scholars in addressing which legal research methodologies are permitted. For example, because law students are not trained to think critically about legal issues in a particular subject, the solutions they offer to address these problems tend to be formal and textual. According to Hikmahanto Juwana, co-optation and the loss of independence of higher education in law have produced graduates who tend to think 'legalistically' who are good at memorizing articles in the rule of law, and are loyal to legal doctrine (Juwana, 2006). In the end, many legal experts do not see the need to change or open dialogue on the development of contemporary legal theories and have lost the sensitivity to utilize legal doctrine to push for substantial legal reforms (Moeliono, 2012).

According to Bedner, this kind of situation leads to the habitus formation of jurists, which refers to a series of ideas and intellectual tendencies to determine the authenticity of jurisprudence, which impacts the appropriate method (Bedner, 2013). During the reform era (post-New Order), several groups of legal intellectuals were at odds with each other regarding legal research methods. First, the 'pure law' group led by Professor Peter Mahmud Marzuki and Professor Phippus Hadjon from Airlangga University committed to opposing all forms of interdisciplinary legal studies. Influenced by the school of Reine Rechtslehre Hans Kelsen, the scientific debate they offer tends to narrow the science of law by allowing 'legal research methods' (legal research) as the only method in the study of legal science that isolates law from non-legal aspects (Mahmud Marzuki, 2005). One of his enthusiastic followers, Professor Abdul Rachmad Budiono, emphasized that law is a discipline that is sui generis (of its kind/unique in itself): the prescriptive (receptive) character of law gives rise to "specificity without having to be forced into design sciences, such as the exact natural sciences, social sciences, and humanities" (Budiono, n.d.). They emphatically reject the 'declining of the science of law,' which is considered to eliminate the unique character of dogmatic jurisprudence (Mahmud Marzuki, 2008). "The socio-legal approach is largely viewed negatively by pure legal scholars who teach legal research methodology because it is believed that such an approach is not part of traditional legal studies" (Wiratraman, 2019).

Second, a progressive (anti-establishment) group rallied around Professor Satjipto Rahardjo from Diponegoro University (Panggabean et al., 2014). This group opposes legal positivism, which has failed to provide justice to society, especially vulnerable people (indigenous people, religious minorities, and other poor groups). The failure of legal positivism (state law) and normative legal research methods made many intellectuals in this group seek the values of justice that live in society and folk law (Wignjosoebroto, 2002). This second group continues to push for the renewal of the law curriculum by incorporating socio-legal legal research methods with interdisciplinary and multidisciplinary variants of approaches (Putro & Wiratrasman, 2015). As stated by Sulistyowati Irianto, the dominance of normative legal research causes research results to be often descriptive and arid, and does not dissect legal issues contextually, even though they appear thick and long (Irianto, 2021). Many senior legal intellectuals and the current younger generation are ultimately dissatisfied and feel the need to study an interdisciplinary and multidisciplinary approach because increasingly complex legal issues require solutions from a broad perspective (Sulistiawati & Hanif, 2017).

E-ISSN : 2723-2476
ISSN : 2723-1968
ACLJ, Vol. 4, Issue 1, 2023

In this context, normative legal research methods must be positioned proportionally not as the only research in legal research but as one of several methodologies in legal science. The choice of which legal research method is appropriate depends on the topic and problem to be studied. Therefore, it can be concluded that no research method is considered superior to the others.

2. Definition and Scope of Normative Research

The normative (doctrinal) method is generally associated with legal practical and professional work to solve a specific legal problem. Terms such as legal doctrine, black-letter law (black-letter law), formalism, doctrinalism, and legal-dogmatic research are all used to indicate the type of legal research related to the principles, rules, and concepts governing specific fields or institutions and analyze the relationships between them to resolve legal ambiguities and gaps (Smits, 2017). This type of normative research method is basically included in the category of 'law as a practical discipline' among legal practitioners. These practitioners especially will be interested in the substance and practical function of the rule of law to solve a specific legal problem (Siems & Síthigh, 2017).

There are three main scopes in normative legal research. First, doctrinal legal research focuses primarily on the legal system. In this case, the legal system is not only the subject of investigation but also the normative framework for analyzing legal issues (Siems & Síthigh, 2017). Second, it is essential for a doctrinal approach that law is seen as a broader system and does not merely cover statutes or court decisions (Siems & Síthigh, 2017). For example, the Council of Australian Law Deans states that normative legal research must involve rigorous and creative analysis to connect seemingly disparate strands of legal doctrine and extract general principles from a fragmented body of material (Hutchinson, 2015). Third, normative legal research must accommodate and systematize the current law (*lex lata*) (Smits, 2017). Normative legal research should describe existing laws in a given field as consistently as possible to inform audiences how those laws apply. Most important in this type of normative research is that doctrinal descriptions must also go beyond textual explanations.

Legal doctrine can represent the complexity of legal norms: thousands of rules and various cases (stare decisis) organized as a system. Descriptions in normative legal research will always be complemented by a more prescriptive approach directed at legal decision-makers. The essence of prescriptive legal doctrine lies not in non-legal considerations (such as, for example, political or economic analysis) but in understanding the extent to which a legal act or the formation of a legal product conforms to the doctrine and legal system of a country. Therefore, normative legal research aims to develop justifications relevant to existing laws (*lex lata*) (Boulanger, 2020).

3. Approach In Normative Legal Research

3.1 Comparative Law Approach

The comparative approach to law (comparative approach) places objects in legal studies as something worthy of comparison with presumptions of similarity (*praesumptio similutudinis*) and presumptions of difference (praesumption of difference or *presumptio distinctio*) between two or more traditions or legal products existing in the world (Santoso, 2019). The aim of analyzing the similarities and differences of a specific tradition or legal product being compared is to obtain what is referred to as the "common denominator" of the legal issue object to be studied (Bogdan, 2019). In the tradition of comparative law thought and literature, comparators generally understand law not only as a phenomenon of written (lex scripta) and unwritten (lex non-scripta) rules; they also try to understand why the rule of law and including legal doctrine emerge in a country by relating it to a broader social, economic and political context. The comparative approach usually asks whether legal concepts that develop in a society with a specific context can be transplanted into a different society and what the implications are for the society where the legal concept is introduced (Menski, 2006). Although the context is necessary, the use of a comparative law approach in doctrinal legal research usually emphasizes analysis to find, describe and identify aspects of differences and similarities between various laws, judge's decisions, or other legal materials related to legal material (Lukito, 2019). This similarity and resemblance between traditions and legal products is an aspect of comparability (tertium

comparationis) required in doctrinal and non-doctrinal legal studies that use a comparative legal approach.

The first step in using a comparative law approach can be done by setting some questions or hypotheses as an analytical framework to examine the extent of similarities and differences between legal traditions. Such an approach will encourage law students to understand how different laws in a country can provide solutions to similar social problems in different countries or jurisdictions (Wiratraman, 2019). According to Peter de Cruz, the comparability of the problem object being compared will depend on several factors, both constant and arbitrary, according to the needs of a law student regarding the scope of the study to be carried out (Cruz, 1999). A law student must have at least some of the necessary initial information about a country's tradition or system conceptually, which forms the basis for determining the number of similarities and differences presumptions. He must also understand clearly whether the subject of his research is a macro or micro problem. If the aspect of the study to be carried out is macro, the comparative law approach cannot be trapped in the per se aspects of a rule of law and vice versa: 'it must focus its point of analysis on the building of the legal system in a particular country's jurisdiction' (Lukito, 2019). Conversely, a detailed analysis is needed if the subject of comparative law studies focuses on specific issues. The subject of micro comparative study focuses more on the direction of legal practice as a rule created to regulate people's lives and not to study law in its large size as a social phenomenon in general (Cruz, 1999).

3.2 The Statutory Regulatory Approach

In the study of doctrinal law, the statutory approach is an absolute legal approach, considering that the legal object being discussed is a written legal norm. The statutory regulation approach is the main characteristic of the way law graduates think (thinking like a lawyer) when understanding a theoretical problem in the academic world and the practical world in the legal profession. The statutory rule approach (often referred to in the literature as black-letter law) focuses on the law itself as an autonomous set of principles understood through a reading of statutory regulations with little or no reference from the non-legal world (Hutchinson, 2015). The statutory regulation approach prioritizes legal studies based on knowledge of law (knowledge-based research in law) rather than studies on law (research about the law) (Kharel, 2018).

In general, doctrinal legal research does not focus its analysis on empirical investigations or experiments but on discovering and developing legal doctrines and insights for developing legal theory (Serfontein, 2012). The statutory regulation approach focuses its analysis on the consistency and validity of law based on legal reasoning techniques. According to McCrudden, the statutory rule approach in doctrinal legal studies uses 'reasoning, logic, and arguments that refer to certain prescriptive conceptions based on written legal norms' (Hutchinson & Duncan, 2012).

Joenadi Efendi and Johnny Ibrahim identified several prerequisites needed by law students when using the statutory regulation approach: (a) comprehensive, in the sense that the legal norms contained therein must be able to be analyzed logically one another; (b) inclusive, in the sense that a collection of legal norms must be able to accommodate existing legal problems; and (c) systematic, a legal norm used in the study must be arranged hierarchically (Efendi et al., 2018). A law student must curate legal materials related to the issues to be studied and classify the material content and position of each legal material based on legal principles. In the mainstream doctrinal legal research schools, three main principles are used as a reference for the approach to legislation. The first principle is the lex superior derogate legi inferior, where the law (in this case, legislation) with a higher position excludes lower laws (Budiono, 2005). The second principle is lex specialis derogate legi generalis, in which laws governing specific matters exclude laws governing general matters (Efendi et al., 2018). The third principle is lex posteriori derogate legi priori, where the newer law excludes the old law (Efendi et al., 2018). Principles of this kind are very useful in helping learners when sorting out, for example, which legal products are lex specialis and which are lex generalis. This separation helps apply legal adages so

E-ISSN : 2723-2476
ISSN : 2723-1968
ACLJ, Vol. 4, Issue 1, 2023

that it can be ascertained which law has the force of validity from two laws with the same substance but are in a conflict situation (Diantha, 2016).

3.3 Case Approach

In addition to the statutory regulation approach, the case approach is commonly used in doctrinal legal studies to understand how law resolves disputes. In practice, the case approach is often used by academics to develop legal theories and practitioners such as experts to resolve legal issues through the legislative drafting process and lawyers in concrete legal cases in court. Applying the case approach is carried out by examining cases related to legal issues, which have become court decisions and have binding legal force (Muhaimin, 2020).

Concrete cases in court offer abundant research material in understanding how the law deals with disputes in society. According to I Made Pasek, a law student can use the case approach if the problem he wants to examine concerns the legal vacuum or the ambiguity of norm in its application by judges. In the context of the absence of legal norms, for example, legal students can use examples of cases in court to formulate what legal norms are appropriate in the future. A law student must be able to find the main premise that underlies the legal problems of a case and develop analogies to find solutions to the same problem in other cases (Hutchinson & Duncan, 2012). The cases used are cases that have occurred, but in doctrinal legal research, cases of this kind are studied to obtain an overview of how these cases impact the rule of law or legal practice and to use the results of the analysis for input into legal explanations (Efendi et al., 2018).

3.4 Conceptual Approach

The conceptual approach is usually used in doctrinal legal research studies to describe and analyze research problems that depart from empty norms in laws and regulations. This kind of problem assumes that in the legal system that applies in a country, there is no or no norm from a statutory regulation that is applied to concrete legal events or legal disputes (Diantha, 2016). By using certain concepts to dissect legal issues, a law student is expected to be able to solve problems and, if possible, develop valuable recommendations to improve the legal system based on the concepts he offers.

The conceptual approach aims to provide a rigorous philosophical explanation of various concepts that develop in legal discourse. A legal issue to be studied can be understood based on specific legal concepts developed by experts based on experience in the field or the results of contemplation or abstraction of a particular legal phenomenon in society. One of the logical functions of the concept of law is to bring up in mind specific attributes and objects that attract attention from a practical and scientific point of view (Efendi et al., 2018). In practice, a set of legal rules is often based on certain concepts resulting from a consensus during the law formation process. Identifying legal concepts that operate behind a legal norm can help a legal learner understand a legal product's regulatory framework.

3.5 Historical Approach

The historical approach (historical approach) is commonly used in doctrinal legal research to help a law student solve the problem he wants to study. Unlike the study of the history of law, the historical approach in legal studies seeks to explain chronologically why a legal product appears in a certain period and explains how the perception of legal subjects lives and develops towards a particular legal issue in history. The historical approach attempts—as far as the necessary evidence is available—to trace the development of legal issues from time to time (Tomlins & Comaroff, 2011). With this approach, law students must make careful observations of the primary material that has been collected (Hamill, 2019). Such an approach is helpful in chronologically mapping legal issues and exploring what can be learned from the past in the context of current legal issues.

The starting point for using a legal history approach is to identify the source material to be used. Legal historians divide several documents used in legal studies with a historical approach (Musson & Stebbings, 2012). First, written legal product documents such as laws and regulations (regeling),

decisions (beschiking), verdicts, contracts, and international agreements. Second, legal records (legal records). Legal records are documents that contain court proceedings, reports or testimonies from legislators/legislators, results of research by independent institutions regarding law enforcement or specific legal issues, and other documents published by state or non-state institutions that are not classified as legally binding documents. Third, the legal report (law report). A legal report refers to a series of books containing the judicial opinion of a selected case that a court has decided (Handler, 2018). A law student studying or interpreting legal records and reports requires more than technical and linguistic expertise (Handler, 2018). Before conducting a study, a law student must have sufficient knowledge of the research object to be analyzed and estimate what legal and non-legal literature may be needed to understand the historical context in which legal issues arise. Law students should avoid models of analysis that place a historical approach only as a chronicle description, for example, analyzing a legal product or legal concept limited to the year it appeared without trying to relate or contextualize why a particular legal product or legal concept appeared in the historical trajectory (Musson & Stebbings, 2012).

IV. CONCLUSION

Even though legal scholars' recognition of the importance of interdisciplinary and multidisciplinary approaches continues to grow, debates over legal research methods in Indonesia will obviously still emerge. This debate should be addressed by proportionally placing the normative legal research method (which is the current mainstream method). We must assess the relevance of normative legal research depending on the scope of the legal issues to be discussed. Given the development and recognition of non-legal approaches in legal science, normative legal research methods cannot be considered the only valid method and must be understood as one of several existing legal research methods.

REFERENCES

Banakar, R. (2014). Normativity in Legal Sociology: Methodological Reflections on Law and Regulation in Late Modernity. In *Law*. Springer. http://lup.lub.lu.se/record/4530533

Bedner, A. (2013). Indonesian Legal Scholarship and Jurisprudence as an Obstacle for Transplanting Legal Institutions. *Hague Journal on the Rule of Law*, *5*(2), 253–273. https://doi.org/10.1017/S1876404512001145

Bogdan, M. (2019). *Pengantar Perbandingan Sistem Hukum*. Nusamedia.

Boulanger, C. (2020). The Comparative Sociology of Legal Doctrine: Thoughts on a Research Program. *German Law Journal*, *21*(7), 1362–1377.

Budiono, A. R. (n.d.). *Ilmu Hukum dan Penelitian Hukum*. Retrieved February 2, 2023, from http://www.abdulrachmadbudiono.lecture.ub.ac.id/files/2015/09/ILMU-HUKUM-DAN-PENELITIAN-HUKUM-makalah-nov-08.pdf

Budiono, A. R. (2005). *Pengantar Ilmu Hukum*. Bayumedia. http://www.abdulrachmadbudiono.lecture.ub.ac.id/files/2015/09/ILMU-HUKUM-DAN-PENELITIAN-HUKUM-makalah-nov-08.pdf

Cruz, P. de. (1999). *Comparative Law in a Changing World*. Cavendish Publishing Limited.

Diantha, I. M. P. (2016). *Metodologi penelitian hukum normatif dalam justifikasi teori hukum*. Prenada Media.

Efendi, J., Ibrahim, J., & Se, M. M. (2018). *Metode Penelitian Hukum: Normatif dan Empiris*. Prenada Media.

Hamill, S. E. (2019). Review of Legal History. *Social & Legal Studies*, *28*(4), 538–559. https://doi.org/10.1177/0964663918819189

E-ISSN : 2723-2476
ISSN : 2723-1968
ACLJ, Vol. 4, Issue 1, 2023

Handler, P. (2018). Legal History. In *Research Methods in Law*. Routledge. https://research.manchester.ac.uk/en/publications/legal-history-2

Hutchinson, T. (2015). The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law. *Erasmus Law Review*, *3*, 130–138. https://doi.org/10.5553/ELR.000055

Hutchinson, T., & Duncan, N. (2012). Defining and Describing What We Do: Doctrinal Legal Research. *Deakin Law Review*, *17*(1), Article 1. https://doi.org/10.21153/dlr2012vol17no1art70

Irianto, S. (2021). Legal Education for The Future of Indonesia: A Critical Assessment. *The Indonesian Journal of Socio-Legal Studies*, *1*(1), 1.

Juwana, H. (2006). Legal education reform in Indonesia. *Asian Journal of Comparative Law*, *1*(1).

Katz, J. S., & Katz, R. S. (1975). Teaching methodology and Indonesian legal education. *Journal of Legal Education*, *27*(2), 219–234.

Kharel, A. (2018). Doctrinal Legal Research. *SSRN Electronic Journal*. https://doi.org/10.2139/ssrn.3130525

Kusumaatmadja, M. (1993). Pendidikan Hukum di Indonesia: Penjelasan tentang Kurikulum tahun 1993. *Jurnal Hukum & Pembangunan*, *24*(6), 491. https://doi.org/10.21143/jhp.vol24.no6.1056

Lukito, R. (2019). *Perbandingan hukum: Perdebatan teori dan metode*. Gadjah Mada University Press.

Mahmud Marzuki, P. (2005). *Penelitian Hukum* (Vol. 55). Kencana.

Mahmud Marzuki, P. (2008). *Pengantar Ilmu Hukum Edisi Revisi*. Kencana.

Massier, A. B. (2008). *The Voice of the Law in Transition: Indonesian Jurists and Their Languages, 1915-2000*. KITLV Press. https://www.semanticscholar.org/paper/The-Voice-of-the-Law-in-Transition%3A-Indonesian-and-Massier/acfe5f856c011c66726f1f03853769db9f4cb3cb

Menski, W. F. (2006). *Comparative law in a global context: The legal systems of Asia and Africa*. Cambridge University Press.

Moeliono, T. P. (2012). An overview of Indonesia legal scholars from socio-legal perspective. *Building Blocks for The Rule of Law - Final Conference*. https://repository.unpar.ac.id/handle/123456789/repository.unpar.ac.id/handle/123456789/3145

Muhaimin. (2020). *Metode Penelitian Hukum*. Mataram University Perss. http://eprints.unram.ac.id/20305/

Musson, A., & Stebbings, C. (2012). *Making legal history: Approaches and methodologies*. Cambridge University Press.

Panggabean, J. M. A. R. I. H. O. T., RamaSabekti, S., & Atmaja, A. P. E. (2014). *Dialektika Hukum Progresif: Obrolan Ringkas Buku-buku Satjipto Rahardjo*. Magister Ilmu Hukum Universitas Diponegoro. https://www.academia.edu/9928304/Dialektika_Hukum_Progresif_Obrolan_Ringkas_Buku_buku_Satjipto_Rahardjo

Pompe, S. (2005). *The Indonesian Supreme Court A Study of Institutional Collapse*. SEAP Publications.

Putro, W. D., & Wiratrasman, H. (2015). Penelitian Hukum: Anatra Yang Normatif dan Empiris. *Episterma Digest*, *5*.

Radhie, T. M. (1979). Current Legal Research in Indonesia. *International Journal of Law Libraries*, *7*(3), 211–219. https://doi.org/10.1017/S0340045X0000023X

Reksodiputro, M. (1989). Pendidikan Hukum di Indonesia Sebuah Catatan. *Jurnal Hukum & Pembangunan*, *19*(6), 538–545.

Santoso, T. (2019). Comparative Law in the Faculty of Law, University of Indonesia: Course Content and Teaching Methods. *Asian Journal of Comparative Law*, *14*(S1), S213–S227. https://doi.org/10.1017/asjcl.2019.13

Serfontein, E. M. (2012). Inclusivity towards legal research: A historical and future perspective. *New Contree, 64*.

Shidarta, A. (2013). *Hukum Penalaran dan Penalaran Hukum*. Genta Publishing.

Siems, M. M., & Síthigh, D. M. (2017). Why Do We Do What We Do?: Comparing Legal Methods in Five Law Schools Through Survey Evidence. In E. L. Rubin, H.-W. Micklitz, & R. van Gestel (Eds.), *Rethinking Legal Scholarship: A Transatlantic Dialogue* (pp. 31–83). Cambridge University Press. https://doi.org/10.1017/9781316442906.002

Sinaga, V. S. (2018). Private Law Schools In Indonesia: Their Development, Governance And Role In Society. *International Journal of Asia Pacific Studies (IJAPS)*, *14*(2), Article 2. http://ijaps.usm.my/wp-content/uploads/2018/07/IJAPS-142_ART8.pdf

Smits, J. (2017). What is Legal Doctrine?: On the Aims and Methods of Legal-Dogmatic Research. In R. van Gestel, H. Micklitz, & E. L. Rubin (Eds.), *Rethinking Legal Scholarship* (pp. 207–228). Cambridge University Press. https://doi.org/10.1017/9781316442906.006

Soetandyo, W. (2013). *Hukum Konsep dan Metode*. Setara Press.

Sulistiawati, L. Y., & Hanif, I. (2017). Second fiddle: Why Indonesia's top graduates shy away from being judges and prosecutors, and what we can do about it. In *Legal Education in Asia* (pp. 318–349). Brill Nijhoff.

Tahyar, B. H. (2012). *Patrimonialism, power and the politics of judicial reform in post-Soeharto Indonesia: An institutional analysis* [PhD Thesis]. SOAS, University of London.

Tomlins, C., & Comaroff, J. (2011). Law As... Theory and Practice in Legal History. *UC Irvine Law Review*, *1*, 1039.

Vel, J., & Bedner, A. (2021). Legal Education in Indonesia. *The Indonesian Journal of Socio–Legal Studies*, *1*(1). https://scholarhub.ui.ac.id/ijsls/vol1/iss1/6

Wignjosoebroto, S. (1994). *Dari Hukum Kolonial Ke Hukum Nasional*. Rajawali Pers.

Wignjosoebroto, S. (2002). *Hukum Paradigma, Metode dan Dinamika Masalahnya*. ELSAM dan HuMa.

Wiratraman, H. P. (2019). The challenges of teaching comparative law and socio-legal studies at Indonesia's law schools. *Asian Journal of Comparative Law*, *14*(S1), S229–S244. https://www.cambridge.org/core/journals/asian-journal-of-comparative-law/article/abs/challenges-of-teaching-comparative-law-and-sociolegal-studies-at-indonesias-law-schools/8F7A1496FBA5ED7BC6639C6B634172B1