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The Framework of Law Impacts in Philosophy of Law and Justice: How the Certainty and Justice Understood?

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Abstract

This paper put an analysis on the autonomy principle among law practitioners. The principle and values usually use as the basic concept for justice understanding. The justice concept is adopted to enforce the law in the fair trial process should not just understand to be the main goal. There must be a wide broad approach segmented the social and cultural frameworks with the conceptual analysis. This article is also concerned for searching the reason relating to the paradigmatic practical calculations to constitute the rule known as the reasonable rationale. The essential conditions of what is practically managing the guide with the rule application remarks just revealed. These remarks hopefully can bring a clear explanation relating to the law practitioners pragmatic view of speech act implications for debating the provisions. The standard case of rules is formulated to protect and to fulfill the people's rights rather rigidly fixing its range of application. There are powers of the people is nevertheless limited decisions of legal validity concerning the substance of the law. Dissatisfaction with the understanding of law practitioners for making the reliable concept relating to the relationship between the law and powers of people is underpinned by the ideal of popular sovereignty influence to be understood. It is similar to the argument that consisted of the legal system for the rule of law to be existed. There is a necessity to confirm and build some mechanism of certain social practices among public officials and law practitioners. There must be clear perspectives on how and why the government and their policies absolutely cannot avoid the political biased and the certainty of law urge to build the certain facts of law for the people to be able to make law at all.

Keywords

legal certainty, the framework of law, justice, law impact, law philosophy

1 Introduction

The renewal for forcing people with the will of the authorities is designed as the function of law to be meant (Pratiwi, 2020). It looks like the modifier values that live in society towards new values are reflected legal certainty and justice. The process of establishing the formation of an institution that is full of the interests of power and reflecting the sectoral ego of law enforcement agencies is not too surprising (Pratiwi, 2020). State officials usually understand their typical responsibility because they have their moral reason to comply with the law. The discussion about the grounds of law can be put into the relevant factors to determine the content of the law.

Law is more than about right and wrong, it has shown that there is an important practical problem. At least, the state officials make and decide their decisions to figure out what the law provides and proceeds equally (Murphy, 2014). The disagreement about how to figure out what law problems emerge and what the law is still in further debate among scholars and practitioners. In our social conceptual scheme of the idea of the law is extremely artificial (Murphy, 2014). It shows that the lawmakers create the legal materials even precisely they are making law, but it is hard to find that they will go forward belong of their self-understanding about those legal products.

The high level of political consensus about how the society should be governed and its citizens be treated must take the command to put the constitution as a profound instrument, chiefly through legal argument about what it means. Constitutional litigation becomes a means both the political change and the constraints on political change in legal products. There are some places in which legal dogmatic is very



important in some complexity. For example, in Indonesia, there is the difficulty of identifying constitutional law as simply as a matter of questioning to argue the law and politic at length about what is constitutional and what is not refers to the terms of politics and government (Cerar, 2009). Both of those arguments have been concerned briefly with describing and explaining the involvement of political institutions in the legal procedural process and legal proceeding, both notions have been emerged a crucial question through trial process (Cerar, 2009). Yet, both particular pictures are the utmost importance in the societal life. They are sometimes differ, overlap, and remain the parties especially of law practitioners in conflict either individuals or different legal entities. These parties including the states and any other persons who thinks and feels in that political-ideological way causes, in proportion to the serious damage to the autonomy of the rule of law.

The fulfillment of certain political interests is the legal and political spheres which show the law can be comprehended by politics. Those case leads to most radical expression to a strict separation to reduce or damage the autonomy of the rule of law. The plain meaning of a statutory test and the norms relate to the statutory interpretation are the relevant legal norm essentials that should be departed. There is an important contrast to be drawn between the question that naturally arises about what is law and how the truth of power contested political ideas to ponder the question of where the power lies (Romero, 2020). These contrasts actually cannot replace when talking about the content of the law and what judges as law practitioners should interpret and apply the law.

There is a duty to obey the state's commands and believe that its rule is legitimate. It will be more or less likely push the public to believe. It will be more or less concerned about the judge's legitimacy appealing to moral considerations in the course of making decisions and it also can make greater respect for the state (Murphy, 2014). This context can be referred to Frederick Schauer who claims that there is the appropriate line to argue the concept of law, from his view mentioned that it would be better to know why people make some confusion about the instrumental argument relating to the substance of law than the concept of law really is (Schauer, 2005). The appropriate balance between legal certainty, purposiveness, and justice cannot be overstated as thoughts in different way are found upon the reason that legal certainty not only requires power lays down through the validity of legal rules, but also makes demand on their contents (Leawoods, 2000). It is the law final concept which must be capable of being administered with certainty that it would be practically applied (Radbruch, 1991).

The matters of the social sciences are considered fundamentally by interpretivist who adopt the legal research procedure in a different logic. The distinctiveness of humans against the natural order is need to be reflected. It similarly seeks the identification of establishing laws that explain human behavior and seek for understanding individual cases to trace the development of phenomena (Crotty, 1998). The phenomena through the judicial reality would be proceeded with the rule of law reconstruction to be meant based on processes of collective struggle, normative change, and elite bargaining which shape institutions over time (McAuliffe, 2021)

The social sciences are still lacking in a social power that could oppose the overwhelming interest of rulers as well as rulers in waiting. The very foundations of social life have been profoundly shaken, it organizes the empirical world contradictions into a hierarchical unity, which lead to a perfectionist which prescribing the fixed pattern of the good life to man both in the personal domain and the political domain (Maris & Jacobs, 2011). It can show that the absolute value of an objective of law and politics has prospects of general recognition only in a period of social stability (Kelsen, 1934). It can seem today that the aim of the theory of law has main goals to maintain its purity at a time when other theories are willing to offer themselves up to powers (Kelsen, 1934). The mode of life of all subjects, depending on the social position implies a broad and perfectionist concept for man to arrange one's life according to one's own conviction that can be achieved the ideal state with detailed prescriptions. In this modern conception, the man autonomy which configure from his ability of self-legislation constitutes the core of human dignity thus have an internal connection (Maris & Jacobs, 2011). From the perspective of life ideals which extend over a longer period must put the connection be realized in a greater detail that most people organize their preferences (Maris & Jacobs, 2011). One of course which need to remember is convincing others about the ideal one by the argument which mentioned that the state and the legal practitioners must respect the citizens wishes even when there is the enforcement of their moral views into the regulation commanded as the right.

2 Methods

This article focuses to redefine and interpret the legal certainty and justice conducted from the previous research. The previous research concerning the philosophy approach in legal studies. This research analytical tools specifically using the analysis refers to morality and the law epistemology constructed the term of justice conducting from the philosophy and legal works of literature. This tool is carried out by conducting philosophy literature studies and observing how legal certainty and justice as the ultimatum goals in a legal proceeding can be identified and classified into the analytical and critical framework in interrelated disciplinary. Specifically for this article, the research stages started from the understanding the connecting dots between the powers of people and the law in understanding the ideal of popular sovereignty.

Secondly, this article sets aside the framework of law impacts in the legal philosophy and justice concerning the relation between the state law and people power during the legal proceeding concerning to the legal substance and the legal validity. Lastly, this article elaborates on and answers the main question poses to be explained about how legal certainty and justice are understood in multidisciplinary studies mainly philosophy and legal studies. The upcoming philosophy dan legal discourses based on critical legal studies and socio-legal studies capture the rule and regulation that can be constructed the legal system analysis in the legal structure based on which the laws are positive law and why the law must be obeyed. In this study also shows that the law can ensure the legal certainty derives from the processing of passed the law by the state power and anchored the idea of justice. In this article also leads to undermining the differences between the main goals of legal scopes, legal certainties and legal justices. This article hopefully can encourage massive discussion within the framework of the policy context to provide benefits to the community.

3 Discussion

3.1 The Relationship between the Law and the Powers of People in Understanding the Ideal of Popular Sovereignty

For determining the law as the positive law requires the extern experience and inner experience that demand the law must be anchored in the idea of justice as well-known as the dual structure of the legal system is an effort to reconcile idea and reality (Gierke, 1934). It was similar to Radbruch opinion which stated that legal certainty necessarily involves the state which is empowered by the citizen recognition beyond the control of the individual (Leawoods, 2000). The rules which is part of the law must embrace all valid rules through the constitutional or statutory text are established by the positive legal system (Hart H. , 1961). Furthermore, it must need to be remembered that the main element of justice is the morality elements which can be overridden by other elements.

The other elements are referring to the conceptual and contextual ontology of legal studies is based on the reconstruction of reality that is never balanced and not represented by the visible (Harun, 2019). It can represent the visibility of the object under legal studies that are interactively connected with the value of other people positioned influencing research inevitably. The legal studies elements reminds to the issue which enhances well-being through engagement and action (Hothersall; Hothersall), including formulate the policy, operate the structural level and to be impacted upon the conceptions of well-being (Orme & Briar-Lawson, 2010).

The description both of Kelsen and Satjipto Rahardjo perspectives illustrate the further concept to legal validity claims and to sacrifice their sense about the authoritative rights which are commanded on the law. It also functioning not just ask how it must be fair referring to the professional duty of the judge but also asking the definite law. It relates to Hart's view is stated that law depends not only on the inner point of view that such beings take towards rules conceived as imposing obligations, but also on the external social pressures which are brought to bear on human beings. Hart's perspective is asserted that in the government modern system, a great proportion of ordinary citizens in the majority have no general conception of the legal structure or its criteria of validity (Waldron, 2008). This article shows that Hart's argument is wrong referring to the rule system as he mentioned if there is no publicly accessible way for identifying the general norms that are supposed to govern people's behavior. Hart's argument proposes to

leave to another field of study which confirm if the restrictive test of law is too wicked to be called laws. In a further way there would be a set of norms and institutions which exhibit all of the characteristics applying to a very small social-economic subset and political interactions and regulating both public and private power to an inconsiderable extent (Waldron, 2008).

Rules are formulated for the rights standard to fulfill and protect the people's rights rather rigidly fixing its range of application. Rules take an account of the social role importance of normative (legal) consciousness even if this does not refer to something objective. It guides the rules applicable that should intend to work injustice because it often involves to determine between moral values and to put on the high constitutional import matters. The debates described in the further analysis relate to the existence of rules and absolute priority order and legal certainty on account of the categorial imperative. It derives extra-legally from Kant and Hobbes's through the absolute theory of the state. Both of them are assuming that the existence of an objective moral standard against which positive law can be tested.

The sovereign state as the one such artificial agent can be put in an equilibrium position depends upon the authority of rule be applied by an official on the hierarchy of offices of the sovereign state which known as the legal existence (Conklin, 2001). This scene shows the inter-connected by grounding the law through the reason in the practical way based on the name of groundless justice. Those scene takes place to close the autonomous and comprehensive legal structure of a modern state. Lastly, the posited rules are posited as the laws that must be finalized and taken the color of acts of the historical genesis through the contingent rules and institutions as the metaphor for practical juridical reasoning (Conklin, 2001).

3.2 The Framework of Law Impacts in Legal Philosophy and Justice: The Substance and The Legal Validity in Legal Proceeding

Their powers of the people concerning the substance of the law are nevertheless limited concerning decisions of legal validity. In reality, the legal system is expressed a profound insight into the notion that can identify the law into the clarity of thought which will be well to ask how a system of legal rules may lose its efficacy if it permits itself to be challenged less morality. The court position is given considerable way is shaped by the sense of justice according to the law existence (Kessler, 1944). The coerciveness of legal orders as moral commands are oversimplifying the interrelation between law and morality depends heavily upon what law must foreseeably to achieve its goals toward an identification of law with force. This concept poses the law and morality are necessarily connected as the obligatory force. It provides the idea of law destination to justify the modern tendency into the legal identification with a hypothetical case which driven the morality as a part of determining the validity of the law to be directed toward the ordinary circumstances (Leawoods, 2000). The implicit chains of reasoning and complex sets of social facts are relatively involved in the validity of law claims in any relatively mature legal system (Jiménez, 2022).

There is no indispensable logical connection between the content of law and morality, and the existence of legal rights and duties may be devoid of any moral justification. The concept of law is accepted of the recognition of conventional patterns and described the law not merely as a descriptive concept, but as an interpretive concept which combined the jurisprudence and adjudication. These concepts are similar to bring the view of law implicit into its proper relation with ordinary and extraordinary circumstances that treats law as an activity and regards a legal system must reconcile the legal certainty as the product of a sustained legal purposive effort.

In those sense means that the separation between extraordinary times from the ordinary has been developed into the determination of non-legal statutory when the rules are lacking the very nature of law (Leawoods, 2000). Dissatisfaction with law practitioners understanding how the alternation between law and the powers of people is reinforced by influential understandings of the fitting of popular sovereignty. It similar to the argument that consisted to the legal system for the rule of law to exist. The juridical argument relating to the soundscape of the court jurisprudence shows how the juridical soundscape is authorized by a judge. It is common for judge to achieve the necessary of dramatic effects to create the viewer engagement (Levi, 2005).

Thus, the rule of law and the respectful of legitimate expectations are following the rules impartially and consistently, treating the similar cases similarly, and accepting the applying public norms consequences (Rawls, 1999). In this context it also shows that the particular moral position can exist according to human-centered values, which means that the reality can be different when considered from an alternative moral position (Moon & Blackman, 2014). Morality can fully determine as the legitimate content of law without any input from legal institutions. It can use as a trait of legal practices that are usually integrated within a positivist view of the law (Jiménez, 2022).

In legal system addresses the problem of uncertainty about which normative standards are legally binding in a given society. The standards can identify which rules are part of that system by setting out a test of legal validity (Jiménez, 2022). It is similar to the consequence in a particular jurisdiction that the set of norms is validated by the rule of recognition. The legal validity sometimes can depend on what the relevant social facts are and turn on moral considerations as the basic positivist commitment to the legal ground is considering ultimately into a social fact matters. Moral and legal rules may be appropriated and validated in similar aspects of conduct, such as the obligation to be honest and truthful or the obligation to respect the rights of other individuals. However, moral rules cannot be changed the way in which legal rules can be revised and amended.

Therefore, the constraint of arguments can build to intensify the discussion about the social fact that derive the cross-cultural variation. There are the causal-explanatory features that explain about human categorization cross-culturally and developmentally (Ludwig & Weizkopf, 2019). By drawing the approach of law practitioner-oriented to get the knowledge with a renewed approach to redefine the legal use within social changes and social needs by striving the root meaning of the certainty and justice applied.

The legal aim is to serve justice that cannot be otherwise defined as an institution of legal system very mean. In particular, there is a profound aspect for returning its critical voice towards the legal system and safeguarding the society. The legal meaning is understood in terms of the realization of legal idea towards the legal justice goals cannot be otherwise defined as a system and as institution which acknowledges implicitly the primary legal orientation toward the legal idea by using the equation to establish the law becomes the very nature of law through the implications of such legal view might be opposed to others.

The framework of law impacts in philosophy of law and justice cannot be separated from the origin of the substance of the law which arrange from the framework of social-legal studies. It lies the duty of obedience which comes from the categorical imperative consisting the rules which are necessary for social life and creating the possibilities for the further development of a morally good life implicitly. This seems to the scientific worldview is placing the source of natural science universally valid and at the same time securely posit objective ethics as well as the freedom of man and rationality, it refers to the framework of critical legal studies in pursuing the possibility of scientific knowledge which deal with the analytical judgments.

The judge posits a central role to create and answer relating to the law and political contestation when the people ask the court to stipulate the regulation. How the people construct the main point of the lack of substantive provisions which have ignored the right of the people without the constitution implemented massively. However, there is no personal interest in the judgment for interpreting and serving justice and legal certainty ideals. Therefore, the court needs to reach a new point of equilibrium (Wibowo, 2013). It can show the capacity to reorganize the multiple function is conceived the extension of the practical deliberation scope resulting from the modest conception. It has at least two theoretical implications that can be enabled legal philosophers to recognize the existence of principles that are either overlooked or not acknowledged at all by traditional instrumentalism. It also has been used to support the positivist planning theory that conceives of law as the social planning institution (Alexy, 2002). It means that the law is to be regarded through the activity structure is arranged hierarchically and guided the behavior through creating, implementing, and enforcing the collective plans that enable individuals to provide methods of accountability and increase the predictability of behavior in a social group.

3.3 Understanding the Legal Certainty and Justice in Legal Philosophy Perspectives

A similar theory relating to the political context regards the awareness of the natural law is postulated by the fundamental equality of man, however it carries the efficiency position too weight in times (Kessler, 1944). In the theory appliances the philosophy is no longer a matter of polite discussion, therefore, should be considered seriously. This phenomenon brings the characteristic of whole problems of legal system and discusses the contribution of legal philosophy thought is recalled. Legal philosophy offers a critical view of regular legal practice. It determines not only how the positive law is deserved and obeyed, but also when the legal force is legitimate.

Through the judicial process, the available legal remedies have been carried out exhausted (Isra & Faiz 2021). The judicial process will emerge some prospect relating to implement the goals of correcting or preventing violations of the rules must be used (Kessler, 1944). While the legal issues assessment and other facts remain under the authority of ordinary courts, the constitutional court can examine the conformity of an act against the constitution. It means that the fundamental rights violation or constitutional rights occur when the decision cannot be put. It seems like the legal proceeding paradox which needs to elaborate and discuss further in this section. The judgment can be followed and established simply by the meaning of the

legal concepts used. It only provides insight into the senses such as the natural science does indeed produce generally valid knowledge. It refers specifically for organizing the sensory perceptions from the causality viewpoint. The phenomenal reality is determined the sense of the responsible subject for making themselves and others accountable for their actions.

The perception of justice is distinct and separate from the legal idea which posits justice competes with ultimate legal purposes are the legal certainty and legal purposiveness. The idea of justice is universal and absolute to extend what is fair for one and for all. It also demands generality which provides through its predictability to ensure peace and order. However, the result would be an unjust application of the law even though the legal certainty would demand the law must be uphold. It can be shown the challenge for the law pursuing the justice in a concrete way. The justice has been matched to the classical word in all major social and political reform since in the immemorial times when it used as a conception generally accepted when connecting with the law.

Justice signifies a cluster of principles for striving the welfare without the opportunity of injustice, inequality, and discrimination. The notion of justice expresses our attention to the fairness and reasonableness of the rules, standards, and principles are incorporated into the normative edifice. Actually, the notion of justice is far more complicate because it shifts the standard of relevant resemblance between different cases. When the law is applied, it can open the varieties subject which not just restrict a single type of subject but that is easily chose to abstract from any subjects influence.

In theoretical framework explicitly for requiring the rule and legitimacy. Both are conceptually separate and should be carefully kept apart, even though their normative commands may sometimes overlap. The rule is legitimate does not mean that it is just and, conversely, many just rules may not be legitimate. Many contradictions and classifications circumstances must remember the entire rule as the commodification from legal certainty and legal justice as the main principles should be understood as an undisturbed whole (Janusiene, 2022). There can be little doubt that there is a primary interest in courts which coincide the political process approach among political scientists today. The characteristic of legal perspective determines the courts as a political institutions and judges are decision maker, they would seek to perceive any other political phenomena (Schubert, 2019). It is an attempt to compose a systematic theory about human behavior and the process of court decision making based upon the theories and methods out of possession of all the behavioral sciences (Schubert, 2019).

4 Conclusion

From the brief explanation concludes that there are requirements for jurists representing the social forces to acknowledge each other which have the power of interposition. The state should support which for the time being represents or approximately represents mass interests. Under actual conditions, the jurist should be concerned with the interest of the masses and should actively condemn for strengthening through a particular argument. The context of law enforcement agencies should develop and apply progressive law with societal values and should be adopted critical legal studies and social legal studies in legal interpretation furthermore in legal proceedings. This can enable not just the way towards the problematics of judiciary progress, but also as the implications of the political endeavor is deeply or even solely comply with judges and public credentials.

References

- Alexy, R. (2002). *A Theory of Constitutional Rights*. Oxford: Oxford University Press.
- Cerar, M. (2009). The Relationship between Law and Politics. *Annual Survey of International and Comparative Law*, 15(1).
- Conklin, W. E. (2001). *The Invisible Origins of Legal Positivism: A Re-Reading of Tradition*. Cambridge University: Springer Science-Business Media Dordrecht.
- Crotty M. (1998). *The Foundations of Social Research: Meaning and Perspectives in the Research Process*. London: Sage Publishing.

- Gierke. (1934). *Natural Law and The Theory of Society*. Barker's tr.
- Hart, HLA. (1961). *Concept of Law*. Oxford: Clarendon Press.
- Harun, M. (2019). Philosophical Study of Hans Kelsen's Thoughts on Law and Satjipto Rahardjo's Ideas on Progressive Law. *Walisongo Law Review (Walrev)*, 1(2), 195-220.
- Hothersall, S. (2016). Epistemology and Social Work: Integrating Theory, Research, and Practice through Philosophical Pragmatism, *Social Work and Social Sciences Review* 18 (3).
- Isra, S., & Faiz, P. M. (2021). *Indonesian Constitutional Law: Selected Articles on Challenges and Developments in Post-Constitutional Reform*. Depok: Rajawali Pers.
- Janusiene, A. (2022). Judicial Authority through The Experience of Crisis. *Jindal Global Law Review* 13(1), 69-86.
- Jiménez, F. (2022). Legal Principles, Law, and Tradition. *Yale Journal of Law and The Humanities*, 33(1), 59-91.
- Kelsen, H. (1934). *Introduction to The Problems of Legal Theory*. New York: Oxford University Press Inc.
- Kessler, F. (1944). Natural Law, Justice and Democracy: Some Reflections on Three Types of Thinking about Law and Justice. *University of Chicago Law School Journal Articles*, 32, 31-61.
- Leawoods, H. (2000). Gustav Radbruch: An Extraordinary Legal Philosopher, *Journal of Law and Policy*, 2, 489-515.
- Levi, R. D. (2005). *The Celluloid Courtroom: A History of Legal Cinema*. Praeger.
- Ludwig, D. & Weizkopf, D. A. (2019). Ethnoontology: Ways of World-Building Across Cultures. *Wiley Journal*, 1-11.
- Maris, C. W. & Jacobs, F. C. L. M. (2011). *Law, Order, and Freedom: A Historical Introduction to Legal Philosophy*. Netherlands: Springer Science+Business Media B.V.
- McAuliffe, P. (2021). Transitional Justice, Institutions and Temporality Towards a Dynamic Understanding, *International Criminal Law Review*, 21, 817-847.
- Moon, K. & Blackman, D. (2014). A Guide to Understanding Social Science Research for Natural Scientist. *Conservation Biology*, 20(5), 1167-1177.
- Murphy, L. (2014). *What Makes Law: An Introduction to The Philosophy of Law*. USA: Cambridge University Press.
- Orme, J., & Briar-Lawson, K. (2010). Theory and Knowledge about Social Problems to enhance Policy Development. *The Sage Handbook of Social Work Research, Thousand Oaks, CA, Sage Publications*, 98-112.
- Pratiwi, L. (2020). "Legal Certainty Value in Pre-Accusation Institute to Optimize Justice for Justice Seekers: Reconstruction of Pre-Accusation in the Criminal Procedure Code," *Open Journal for Legal Studies* 3 (1), 23-34.
- Radbruch, G. (1991). *Five Minutes of Legal Philosophy*. Joel Fienberg and Hyman Gross, eds.
- Rawls, J. (1999). *Theory of Justice Revised Edition*. (United States of America: Harvard University Press.
- Romero, O. (2020). Vox Populi Non-Est Vox Dei, *Res Publica-Journal of Undergraduate Research*. 25, 30-37.

- Schauer, F. (2005). The Social Construction of the Concept of Law: A Reply to Julie Dickson. *Oxford Journal of Legal Studies*, 25(3), 493–501.
- Schubert, G. (2019). *Human Jurisprudence: Public Law as Political Science*. Honolulu: The University Press of Hawaii.
- Thayer, H.S. (1980): *Meaning and Action: A Critical History of Pragmatism* (2nd ed). Minneapolis, USA: Hackett Publishing.
- Tjahyadi. S. (1994). Keadilan, Kepastian Hukum dan Praktek Peradilan Pidana: Praktek atas Kasus Pacah, Lingah, dan Sumir. *Jurnal Filsafat*, 34-43.
- Waldron, J. (2008). The Concept and the Rule of Law, *Georgia Law Review*, 4,3–61.
- Wibowo, M. (2013). Justice's Freedom of Constitutional Interpretation Method in The Constitutional Court. *Mimbar Hukum*, 25(2), 284-299.