Legal Research Methodology Reposition in Research on Social Science

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Abstract: A legal researcher must see that research is an activity. The research is not only reading books, principles, doctrines, and regulations but also an activity to find data. Legal research should no longer distinguish between normative research and sociological research, or qualitative and quantitative research. This research method uses focus group discussions as used in qualitative research. The results of the study are that the law was born from the community that the legal system consists of substance, system, and culture. So that legal research that has its characteristics and is different from social science (sui generis) needs to be re-examined in its meaning in research. Related to the use of primary data existence, in socio-legal research requires primary data whose ranking consists of 7 (seven), namely: Dissertation, National and International scientific journal articles, Thesis and Thesis, Interview, Academic Paper, Court Verdict and Case, which how to obtain primary data must be systematic, scientific and rational. So in addition to normative juridical research with the object of research on legal principles, teachings or legal theories, and legal doctrines, legal research needs to reposition primary data in socio-legal research.

Keyword: Repositioning, Legal Research, socio legal research.

1. INTRODUCTION

A researcher must have great curiosity. The desire to know a researcher will be fulfilled if he gets the knowledge about what he questions about the problems that occur. The knowledge that a researcher wants is the correct knowledge or truth of the answer to a problem. The center of attention of a researcher is the first criterion on which to choose a problem. Also, the usefulness of research is also a criterion that is no less important to note. The two criteria complement each other and strengthen research activities (Soekanto S, 1984). To obtain the correct knowledge of the answers to the problems studied, a researcher must be able to make various approaches both through non-scientific approaches and scientific approaches.

A non-scientific approach is an approach that uses common sense, prejudice/conjecture, intuition, or the discovery of chance or trial and error (trial and error). A scientific approach is an approach that uses methods or steps that are coherent and systematic to get the right knowledge. To get the right knowledge, it can be done in various ways or ways, namely asking other people or authorities and/or through personal experience (Hadi S, 1986).

Research is an attempt to find answers to the problems being studied that are very educational and academic, legal research is part of social research that has the characteristics of legal science in general. There is a legal science that has a prescriptive sense and there is an applied understanding. Law cannot be compared to other sciences (Rahayu DD, 2019). Legal studies have a distinctive character (sui generis). The hallmark of legal science is its normative and practical nature. Peter Mahmud referred to another term, namely what is referred to as perspective and applied science. What is meant by perspective is because it studies the purpose of the law, the values of justice, the validity of a rule of law, legal concepts, and legal norms. Jurisprudence which has an applied understanding has the object of study which includes: jurisprudence establishes standard procedures, provisions, and guidelines in implementing the rule of law. This can be applied to research for academic and practitioner needs.

However, senior legal researchers, still questioning and debating, is the legal method "right"? the question is more directed at the matter that because jurisprudence is sui generis, the methods used should not be influenced by social methods. This question is often raised, because of the obscurity of the paradigmatic position of law in the universe theory of the social sciences and humanities (meta methodology) among law academics.

This researcher better understands the theory developed by Bruggink 1999, that law in its real manifestation as a nomos can be distinguished between nomos whose form is the regularity of outward behavior that is relevant to the life of the law, both those that adhere to formal juridical procedures and those that are extra-juridical, have socio-cultural legitimacy, and the nomos in their form as a steady

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pattern in the subject of collectives interpret the relevant realities in legal life. The consequence of both is that the law sees law from two aspects, namely as a value system (normative metayuridis (iusconstituendum)) and as a social rule (normative juridical (iusconstitutum)). Social studies of law place law as a social phenomenon.

Thus, what was conveyed by Hans Kelsen in his theory Stufenbeautheorie as a legal theory. Stufenbeautheorie is a positive legal theory, but not talking positive law on a particular legal system, but rather a general legal theory. Stufenbeautheorie is part of legal science (legal science) and not a matter of legal policy (legal policy). The focus of Kelsen's thought is not based on positivist-empirical thought as taught by John Austin, but positivist-idealist based on Immanuel Kant's transcendental-idealist philosophy of thought (Samekto A, 2019).

In this case, the law study puts legal research as academic research, which gives birth to research in the form of Thesis, Thesis, and Dissertation. Research for academic purposes is used to arrange scientific work. The scientific work generally includes (1) introduction, (2) problem formulation, (3) research methods, (4) discussion in the form of answering legal problems, so that it becomes academic responsibility. This is a characteristic and pattern of scientific work in Indonesia.

In academic law research usually uses normative legal research, and become the "bible" of academic researchers (students). Normative legal research is also called doctrinal law research. In this type of legal research, the law is often conceptualized as what is written in the legislation (law in books) or the law is conceptualized as a rule or norm which is a benchmark for human behavior that is considered appropriate. Therefore, the source of the data is only secondary data, (Soemitro RH, 1984) consisting of primary legal materials, secondary legal materials, or tertiary data.

The secondary data referred to data obtained indirectly, meaning that the data is only material, whether in the form of legislation, books, research results, study results, and others. These legal researchers, see that legal research knows no other data besides the secondary data (Tutik TT, 2012). The method of study of jurisprudence departs from the nature and character of the science of law itself, as stated by Philipus M. Hadjon 2005, namely:

> Law has a distinctive character, its normative, practical, and prescriptive nature. Such character causes some circles who do not understand the personality of the science of law to begin to doubt the nature of legal science. This doubt is due to the normative nature of law, not empirical science.

The concepts, thoughts, and paradigms of this senior law study are what make us question each other, even asking the validity, strength, and legitimacy of legal materials used as "weapons of study".

It is important to realize that legal science is a complex science, starting from philosophical studies, developing scientific knowledge both theoretically and practically, to the concrete form of its existence which is nothing but dedicated to a society in the form of legal products, solutions to both public law and private law cases, found every day amid society, even not infrequently multidimensional aspects, or in other words, the science of law without the support of other sciences is sometimes unable to solve legal problems completely and thoroughly. Isn't the law also born in society? Why always debate legal research methods as a pure science with the characteristic of "sui generis", if the law is still a product of society?

Philipus M. Hadjonas quoted by Tutik Quarterly Point gives 2 (two) sides of legal science, namely legal science in its original character as normative science and the other side of the law has empirical aspects. The empirical side of legal science as developed by sociological jurisprudence and socio-legal jurisprudence conduct studies through quantitative or qualitative, depending on the nature of the data. So, actually, how is the existence of empirical legal research in law? If there are still debates like this, and there is no common thread used in conducting legal research, it will have an impact on the confusion of law researchers at the academic level (thesis research, theses, and dissertations). Perhaps the right word is that it should be, in legal science research it can also be done sociologically (empirically) to find out how the law is implemented including the law enforcement process because this type of research can reveal the problems that lie behind the implementation and law enforcement.

Sociological Law Research, also uses secondary data as initial data, which is then followed by primary data or field data. As a result of the type of data

(secondary data and primary data), the data collection tool consists of document studies; observation (observation), and interview (interview). In sociological law research always begins with the study of documents, while observation is used in research that wants to record or describe the behavior (law) of the community. Interviews (interviews) are used in research that knows, for example, perceptions, beliefs, motivations, information that is very personal.

1.1. Formulation of the Problem

In legal research, normative research is usually only used. The author wants to reposition by including social research or sociological research to perfect normative research in legal research activity. Based on this, the authors propose the following problem formulation: how to reposition legal research methods in social science research?

2. METHOD

To obtain valid test results in answering the above problem formulation, we conducted an empirical method with focus group discussion (FGD). This method is a data collection method commonly used in social qualitative research, not least in legal science research. This method relies on the acquisition of data or information from an interaction of informants or respondents who have the capacity and based on the results of discussions in a group that focuses on conducting discussions in solving certain problems. The advantages of using the FGD method are that it provides richer data and adds value to data that was not obtained when using other data collection methods, especially normative research (Afiyanti Y, 2008). The FGD was held on Saturday, September 14, 2019, at the Postgraduate Campus of Notary Masters Program, UPH Plaza Semanggi, Jakarta.

3. RESULTS AND DISCUSSION

3.1. The Existence of Primary Data in Normative Juridical Research

Before we enter into a debate, do we need primary data in legal research? Of course, we agree first, with a question, is research an activity looking for data? The five FGD speakers agreed that research is an activity to find data, and legal research is not only sourced from books, principles, doctrines, or provisions of laws and regulations. Legal research data is taken from the community, so that the community is the source of the law, and the community is not the same as the legal norms. Normative juridical philosophy and philosophy are for confused people. The law is a normative area that produces principles. Socio-Legal is the Law that grows and develops from humans. Functional Jurisprudence is the theory of Roscoe Pond (Acharya S, p.3). This means that Jurisprudence is a legal eye that observes the public and observes the court.

Several law faculties at universities in Indonesia, so far, have applied 2 research methodologies, namely Normative Research Methodology, and Empirical Research Methodology (Tripa S, 2019). The normative research methodology is research on principles, doctrines or legal concepts. Meanwhile, empirical law research (Socio-Legal) is a study of the real behavior of the legal culture of the community and law enforcement officials, which does not require a hypothesis. The empirical research method in legal science is far different from empirical research in social science, such as economics, psychology, anthropology, which in empirical research requires a hypothesis. Socio-Legal parameter is the existence of primary data that is data taken directly from the public.

The existence of primary data is always debated in legal science research, especially those who adhere to the normative juridical principle who prefer to call themselves doctrinal legal research. In this type of legal research, the law is often conceptualized as what is written in the legislation (law in books) or the law is conceptualized as a rule or norm which is a benchmark for human behavior that is considered appropriate. Therefore, First, the source of the data is only secondary data, which consists of primary legal material; secondary legal material; or tertiary data (Miharja M, 2019).

1. Primary legal materials, namely binding legal materials, and consist of: Basic norms or rules, the opening, and trunk of the 1945 Constitution; Provisions of the People's Consultative Assembly; Statutory Regulations, which in its level consist of: Laws and/or Government Regulations Substituting Laws, Government Regulations, Presidential Regulations, Ministerial Decrees, Regional Regulations. At least in this primary legal material, referring to Law No. 15 of 2019 concerning Amendments to Law No. 12 of 2011 concerning Formation of Laws and Regulations. Also, other binding legal materials are also known, namely: non-codified legal materials, such as customary law and jurisprudence.

2. Secondary legal material, which is material that explains primary legal material, such as draft laws, research results, or legal expert opinion.

3. Tertiary legal materials, namely materials that provide instructions and explanations for primary legal materials and secondary legal materials, such as dictionaries (law), encyclopedias.

Second, because normative legal research fully uses secondary data (literature), the preparation of tentative theoretical frameworks (schemes) can be abandoned, but the preparation of conceptual frameworks is necessary. In compiling the conceptual framework, formulations contained in the statutory regulations which form the basis of research can be used. Third, in normative legal research, there is no need for a hypothesis, only a working hypothesis. Fourth, the consequences of (only) using secondary data, then normative legal research is not needed sampling, because secondary data (as the main source) has its weight and quality that cannot be replaced with other types of data. Usually, the data presentation is done at the same time as the analysis. One of the dangers, according to SoerjonoSoekanto, is:

> That it is not uncommon for a researcher to be so interested in processing and presenting data, that he forgets his analysis. Finally, the results of the study are purely descriptive, which may be interspersed with conclusions which are essentially reformulations of the findings.

The following is a theory which can be referred to in normative legal research, such as the theory of Hans Kelsen. He is famous for his theory ReineRechtslehre or The Pure Theory of Law (translated by pure legal theory) (Kelsen H, 2008). Kelsen's theory is a normwissenschaft, in which law is a rule that is made the object of the law. According to him, each rule of law is the arrangement of the rules (stufenbau), above the rules (the highest rules), are grundnorm or basic rules or fundamental rules which are the result of juridical thought.

Thus, a rule is a hierarchical system of legal rules. Thus referring to the Pure Theory of Law, the subject of legal research with the Normative Juridical Method is legal research with the object principle or principles applicable in the science of law, for example the principle of presumption of innocence, the principle of consensualism, the principle of all people being equal before the law, and so on.

Besides, there are also legal doctrines. The legal doctrine is a statement that is poured into the language of all legal experts and the results of the statement were agreed upon by all parties. Some call doctrine as a lesson, that doctrine can also be equated with doctrine, this doctrine is a reservoir of norms so that doctrine becomes a source of law. If we quote Apeldoorn's opinion, then the doctrine is only tasked to assist in the formation of norms; the doctrine must be moved first into direct norms such as judges' decisions or statutory regulations so that the doctrine becomes an indirect source in the application of the law. Doctrine in legal science is defined as "analytical study of law or" doctrinal study of law "which is scientific. "Legal doctrine" is sometimes also called "legal dogmatics" (Smits JM, 2015). Both of these terms are commonly found in civil law while in the Anglo-American terms the legal doctrine and legal dogmatics are not well known.

Besides doctrine, there are also legal theories. The legal doctrine is part of legal theory, but there are some fundamental differences. Gijssels-Hoecke, quoted by Bernard Arief Sidharta 1999, argues that legal theory can be divided into three branches (fields) namely the teachings of the law, the relationship between law and logic, and methodology. The doctrine of law is a continuation of allgemeinerechtslehre, including analysis of legal understanding, analysis of notions in law or concepts in law (for example legal actions, contracts, commitments, marriages, acts against the law, etc.) relating to one another, analysis of the principles and legal system, analysis of the rule of law.

The basic difference between the doctrine or teachings of law with the legal theory is, that the doctrine or teaching of law is a scientific opinion or stand which is compiled and stated rationally and can convince others. Meanwhile, legal theory is a set of constructs (variables), definitions, and propositions that are interconnected that reflect a systematic view of a phenomenon by detailed relationships between variables intended to explain natural phenomena.

The focus discussion forum realizes that there are indeed normative juridical studies that only use secondary data, namely legal research relating to principles, doctrines or teachings, and legal theories. This type of research completely ignores primary data, either primary data as new data or primary data to test the hypothesis obtained. Primary data will only obscure

the validity or question the principles, doctrines or teachings, and theories of legal science that have been formed long ago and become the crystallization of the formation of legal science to date.

However, as we know, besides law as Pure Theory, the law is also applied science. When legal research does not speak or objectify principles, doctrines or teachings and legal theories, then the use of primary data is a must. So the discussion forum directed, agreed, that the existence of primary data in normative juridical legal research would obscure the existing secondary data, but in socio-legal research, primary data becomes a necessity as new data and as a test of existing hypotheses.

To be more easily understood, the hypothesis in legal science research is not implicitly outlined in a research proposal but appears when analyzing secondary data. The results of initial thought or concept as a temporary answer is called a hypothesis. The next process is to test the concept by extracting information with the speakers.

3.2. Ranking of Primary Data on Socio Legal Research

Focused discussion forums question primary data types in socio-legal research that does not only consist of interviews or observations. In contrast to social research, the primary data uses questionnaire distribution techniques and uses data processing programs. In socio-legal research, at least it consists of various types of data that we compile at the level of "degree of acquisition". Preparation based on the degree of acquisition is aimed at, so this socio-legal research does not merely use a small portion of data to complete research with the acquisition techniques and the existence of primary data itself. The various types of data, we order based on the degree of acquisition as follows:

3.2.1. Dissertation Research

The online version of the Big Indonesian Dictionary, a dissertation is a scientific essay written to obtain a doctorate (KBBI, 2020). According to Moch. Enoch Markum, a dissertation is essentially a further development of a thesis, where the submission of a theoretical proposal and a standard writing technique such as a thesis is absolute. But what distinguishes the thesis is breadth (extensive) and depth (depth) of the proof of the thesis must be more advanced. Ideally, a dissertation should be more than just theoretical testing, it further opens up the possibility of proposing a new theoretical breakthrough. So if you can sort of "theory building", or at least there is something "new" (novelty) that results from a dissertation work (Solimun and Rinaldo 2020). The dissertation is proof of the ability of Ph.D. students to independently research. Simply, the thesis answers what, the thesis answers what and why, and the dissertation answers what, why, and how (Suprayitno A, 2019). Referring to Law No. 12 of 2012 concerning Higher Education in conjunction with the Minister of Research and Technology Minister of Higher Education No. 44 of 2015 National Standards of Higher Education, that to produce the quantity and quality of publication of scientific works of undergraduate students, master's programs, and doctoral programs at a national and international scale, doctoral program graduates compile dissertations and papers that have been published in reputable international journals; and graduates of applied doctoral programs compile dissertations and papers that have been published in accredited national journals with a minimum ranking of Sinta-3 or accepted in international journals or works that are presented or exhibited in international forums. Indeed, several universities have applied the provision, especially for dissertation research, only a few are stored in the library repository of the institution, so that other researchers who will use the dissertation as a secondary data source, come to the university library. Likewise, judging from the quality of scientific research in the form of a dissertation, many S3 students fail to complete their studies, because they have to pass many exams, such as qualification exams, proposal exams, research results exams, closed exams, and promotion exams. These two reasons, according to the author, include the dissertation as the first primary data ranking.

3.2.1.1. National Scientific Articles or Indexed International Journals

As in Permenristekdikti No. 44 of 2015 junctoPermenristekdikti No. 20 of 2017 concerning the Granting of Professional Allowance for Lecturers and Honorary Allowances for Professors, grouping journals into National Journals, Accredited National Journals, International Journals, and Reputable International Journals. Likewise, referring to Permenristekdikti No. 9 of 2018 concerning the Accreditation of Scientific Journals, states that journals in this case the form of reporting or communication which contains scientific work and are scheduled to be published in electronic and/or printed form must be carried out periodically

accreditation or assessment. The accreditation assessment instrument is based on Permenristekdikti Number 9 the Year 2018 and Director General of Research and Development Regulation (Perdirjen Risbang) No. 19 of 2018 which ranks 1 to 6, and is synchronized as Sprott-1 to Sprott-6. Journals that have been categorized based on Sprott-1 to Sprott-6 will be ranked based on the number of citations and h-indices from Google Scholar that have been made by each journal after verification (Riset K, 2020). Likewise, with International Journals, the Directorate General of Science, Technology, and Higher Education Resources acknowledge as an international journal, with indicators, including published by world-renowned professional associations or credible universities or publishers, indexed by international ratings (for example SJR) or a well-known international database, for example, the Copernicus International Index (ICI) (Harususilo YE, 2020), the journal address can be searched online, the Boards editor of the Journal can be traced online and there is no difference between editors listed in the print edition and online edition. It can also be that an International Journal with an impact factor of 0 (zero) or not available from ISI Web of Science (Thomson Reuters) or an indexed journal in SCImago Journal and Country Rank with Q4 (quartile four) or indexed in Microsoft Academic Search is classified as an international journal. Some of the obstacles of student scientific research that are less publicized in the form of journals, include: lack of time and want to start from where (Rahmiati, 2014), also external factors, namely strict writing requirements and expensive publication costs.

3.2.1.2. Thesis and Minithesis

The ranking of the third primary data is thesis and mini-thesis. The basic difference between thesis and mini-thesis is, if the thesis looks for the answer to problem with what and why, while mini-thesis seeks the answer to the problem with what question. Of course, the thesis level is higher than the mini-thesis. It is a must, a university to publish thesis and mini-thesis research results in library repository, so that it is easily accessed by other researchers who will search for data and reduce the occurrence of plagiarism. Plagiarism is regulated in Permendikti No. 17 of 2010 concerning Prevention and Control of Plagiarism in Higher Education, that plagiarism is a form of academic violations. Surely S-2 students are not allowed to take analysis in mini-thesis, except for the data submitted in mini-thesis. If the manager of S-1 and S-2 programs in the legal sciences agrees with what the authors convey above, that legal research is not only a normative juridical course but also socio-legal research that requires primary data as primary data and as a secondary data concept test, then scientific papers in the form of theses and mini theses deserve to rank third.

3.2.1.3. Interview

The next type of primary data is an interview, which is a method used to obtain verbal information to obtain certain objectives. In the interview, 2 parties have different positions, namely information pursuers/ interviewers and information providers/informants/ respondents, which can be done face to face or virtually. Interviews are characteristic of socio-legal research, because, with interviews, researchers can understand directly, directly involved with the legal problem context encountered (Rachmawati IN, 2007). By getting primary data directly from legal actors or law enforcers, both law enforcers, victims of legal actions, and legal observers, researchers will more clearly understand the problem and analyze the text and legal context. In contrast to the primary data of social science conducted by distributing questionnaires, which look at the object of research in phenomena that can be seen in numbers. The ability or skills of an interviewer will determine the success of an interviewer. For that, some things need to be considered in the interview, among others: creating and maintaining a good interview atmosphere, holding probing. Probes is a way to dig up more information. And the preparation of sentences (paraphrases), if necessary, the interviewer can help formulate what the interviewer wants to say if he is not able to formulate coherently, regularly, and completely. This must be done very carefully. By not changing the meaning of what is being stated. Many techniques are used in obtaining data through this interview, both conducted in social research and socio-legal research. Some suitable techniques are used in socio-legal research, including non-random purposive sampling; incidental, snowball sampling and focus group discussion (Nurdiani N, 2014).

3.2.1.4. Academic Paper

As mandated in Law No. 15 of 2019 concerning Amendments to Law No. 12 of 2011 concerning the Formation of Laws and Regulations, that in the study of more specific legal sciences having laws and regulations, the first and foremost primary legal materials must be obtained in addition to the laws and regulations themselves, as well as academic texts. If

you look at the rules for making laws and regulations in Indonesia, the proposed Draft Law (RUU) can come from the Government (executive) and DPR RI (legislative). The proposed will must be accompanied by NA, which in this NA is contained in 3 (three) things that underlie the formation of the law, namely: philosophical foundation, sociological foundation, and juridical basis. In discussing the Draft Bill between the Government and Indonesian Parliament, sometimes changes are made to the NA, to adjust the discussion process for the Draft Bill, so that the Draft Bill and NA also changes, and this change can only be found in the institution where the Draft Bill is discussed, namely the State Secretariat representing the Government and DPR RI Secretariat General represents the DPR RI institution.

3.2.1.5. Court's Decision

The next primary data that we discuss here is a court decision. If we see, the heart of a court decision is the Judgment Consideration. Many decisions are far from legal norms, many decisions are not consistent with previous decisions, in the case of the same case, and many decisions issued collide with each other on it. Indonesia adheres to the civil law system, which means that statutory regulations that form the basis of a decision, are not the basis of previous jurisprudence. Therefore, the ratio of decidendi (consideration of judges) becomes an absolute thing in research by using decisions as research objects. To support the principle of accountability of institutional performance in Indonesia, that each court is required to upload every decision that has been issued (decided), but there are still many decisions that have not been uploaded, so researchers must take it in the court concerned. As agreed in the focused discussion forum, that research is an activity to get data, so coming to court to get a decision is a research activity.

3.2.1.6. Case

Primary data that occupy the last position is the case. According to the KBBI, a case is an actual state of affairs or case; special circumstances or conditions relating to a person or thing; a question; case. The case used in legal science research is a legal case, of course, both the case in the process of settlement in court or the case has been decided by the court. Or in the process and has been resolved by a recognized institution such as BANI (Indonesian National Arbitration Board), or new cases registered with the police in Police Report (LP). It could also be, a case that has been recorded by a state institution as a conflict between an individual and an individual or between an individual and the state, and there are no binding and final decisions. The case as an object of legal research can see the case as iusconstituendum and iuscontitutum, both in terms of conflicting norms or law enforcers who "abuse their authority".

3.3. Repositioning Legal Research Methods in Social Sciences

The previous sub-chapter, explained the ranking of primary data in legal research, ranking more on the personal view of the author. Each can interpret differently, but what needs to be understood together is the existence of primary data in socio-legal research as a necessity (Qamar and Syarif, 2017). Ubisocietaibiius cannot be ignored by the principle of law, therefore the science of law as sui generis which has its characteristics needs to be re-examined. Law and society are like two sides of a picture in a coin. Without legal society, there will be no tones, and vice versa without law in society there will be chaos or tyranny. Therefore, legal issues are community problems, and legal research methods are research methods in which the community adheres.

The repositioning of legal research methods in social science research wants to restore or reposition the existence of primary data in legal research, except for normative juridical research that has principles, teachings or theories, and legal doctrines. With the provision that getting primary data in scientific research is systematic, scientific, and rational. Socio-legal research has an emphasis on purpose and utilization, in terms of its objectives, this research is to find facts (fact-finding). Then proceed to find a problem (problem finding), then this research develops into a problem identification research (problem identification), and in the end, research is conducted to overcome the problem (problem-solution).

One of the speakers at the forum mentioned, Social Scientific Research are: (1) First Slices of Social Inquiry (The conditions must discuss the community except for Philosophy), (2) Second Slice of Scientific Inquiry (Astronomy Research not Social Sciences), and (3) First Slices And the Second Slice meets to produce a Social Scientific Inquiry. The experiment is a stimulus and the reaction is seen. The law is to Use Available Data (even tombstones are considered data). So, quoting SoerjonoSoekamto's opinion, the Law grows and develops from the community. As we know, the Legal System consists of Substance, System, and

Culture, so one of the interviewees agreed that research was activity but the scope depends on the problem. For example, interviews whose purpose is not to seek answers but only parameters, such as interviews with economists are only parameters and supporters.

4. CONCLUSION

In a research activity, there should be no more dichotomy between normative research and sociological research, or qualitative and quantitative research. Legal science is a part of social science, that law is born from the community (Ubisocietaibiius), that the legal system consists of substance, system, and culture. So, legal research that has its characteristics and different from social science (sui generis) needs to be re-examined in its meaning in research. Related to the use of primary data existence, in socio-legal research requires primary data whose ranking consists of 7 (seven), namely: Dissertation, National and International scientific journal articles, Thesis and Minithesis, Interview, Academic Paper, Court Verdict and Case, which how to obtain primary data must be systematic, scientific and rational. So in addition to normative juridical research with the object of research on legal principles, teachings or legal theories, and legal doctrines, legal research is classified as socio-legal research.

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