

The Role of Legal Philosophy in Building a Fair and Just Legal System (Examining the Legal System in Lawrence M. Fiedman's theory)

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ABSTRACT

This paper examines the role of legal philosophy in building a just and fair legal system in Indonesia. Legal philosophy, as a critical reflection on the nature, purpose, and fundamental values of law, provides normative and ethical foundations for the formulation and enforcement of legal norms. The main issue addressed is the weakness of law enforcement in Indonesia, which is often influenced by corruption, political intervention, and the lack of integrity among law enforcement officers, thereby deviating from the ideals of justice. The study employs a normative research method through literature review, analyzing classical to modern philosophical thoughts as well as Lawrence M. Friedman's legal system theory, which consists of structure, substance, and legal culture. The findings show that the effectiveness of the legal system is not solely determined by statutory regulations but also depends on the integrity of legal institutions and the prevailing legal culture in society. Therefore, legal philosophy plays a crucial role as a reflective instrument to ensure that law achieves its fundamental goals of justice, legal certainty, and utility in a balanced manner.

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INTRODUCTION

Philosophy studies certain problems in a certain way. These include the deepest and most important issues that philosophers have discovered. These include the true nature of human beings, how we think, the nature of reality, and our ability to know that reality, and a host of other related issues. The growing knowledge that humans have, many problems have been able to be solved, such as many problems in the universe that have been solved through the advancement of science. But

sometimes there are many questions that cannot be answered by human science. So that's why philosophy is here to be able to answer that.

According to Immanuel Kant, law must rest on strong moral principles so that society can live fairly and harmoniously. Philosophy of law is tasked with explaining the basis of legal values that are able to realize the ideals of justice, order related to the existence of existing laws. Regarding the function of legal philosophy, Roscoe Pound said that philosophers who try to solve the problem of thinking create perfect laws that must stand forever and then prove to mankind that the law has been issued and its strength is not questioned repeatedly. philosophy of law as a science that examines law fundamentally, taking into account justice, legal certainty and usefulness. For this reason, legal philosophy can be said to be suitable for building a better legal system.

Justice as the key to success in building a nation's civilization, is also part of efforts to provide social welfare, and equal distribution of rights and obligations that must be fulfilled by every human being. Therefore, the principles of legal justice must be able to be implemented as an effort to build awareness to every human being and state official. We need to realize together, the issue of justice, which seems small, however, this problem often appears in the lives around us. just look at the many state officials who practice corruption of public money, it actually reflects legal injustice based on the little people. These practices are influenced by the weak legal system in Indonesia.

According to Lawrence M. explained that the legal system consists of legal structure (legal structure) and legal culture (legal culture). To achieve fair law enforcement, the improvement must start from the legal system. M. Friedman's theory can be concluded that the three elements of the law must work together so that the laws made to uphold justice can run effectively, and justice can be felt by the people governed by the law itself.

Departing from the background as above, the focus of scientific discussion will refer to the issue of how to create a just legal system in the view of legal philosophy and the concept of the legal system in the theory of Lawrence M.Fiedman.

ME1THOD

The research method used is Normative research with the materials used are books, journals and others. This approach allows a comprehensive understanding based on relevant literature sources and various related literature and documents.

RESULTS AND DISCUSSION

1. The Nature of Philosophy and Law

Etymologically, the term philosophy comes from the word "philosophia," which consists of two elements, namely philo which means love, and sophia which means wisdom. Therefore, philosophy can be defined as the love based on wisdom. In the Big Indonesian Dictionary, philosophy has two main definitions. Firstly, it is knowledge and inquiry conducted with the intellect to understand the nature of all that exists, including its causes,

origins, and laws. Secondly, philosophy also refers to the theory that forms the basis of thought in various fields such as logic, aesthetics, metaphysics, and epistemology.

Some also say that philosophy is the love of knowledge, because the values of truth will be found in knowledge. People who love knowledge are called philosophers, in Arabic *failasuf*, Indonesians call them philosophers or philosophers. Lovers of knowledge are people who make knowledge the purpose of their lives or in other words devote themselves to knowledge. There are several views of philosophers in giving an understanding of philosophy including:

- a) Bertrand Russel states that philosophy is a pioneer for science. The object of study includes problems that have not been clearly formulated and at the current stage of development cannot be examined by science.
- b) De Raeymaeker in *Inleiding tot de wijsbegeerte*. "De wijsbegeerte is de methodisch verworven en systematisch geordende natuurlyke kennis, waarin men de grondige verklaring van alles nastreeft". (Philosophy is natural knowledge obtained methodically and arranged systematically where basic information about everything is sought).
- c) Al-Farabi, the greatest Muslim philosopher before Ibn Sina, said: "philosophy is the science of nature and aims to investigate its true nature."
- d) Plato defined philosophy as a science that aims to achieve pure truth. Meanwhile, Aristotle, Plato's student, viewed philosophy as a science that covers various aspects of truth, including metaphysics, logic, rhetoric, ethics, economics, politics, and aesthetics.

The development of philosophy has an influence based on various things, one of which is the state. This is because countries try as much as possible in developing science to create an organized, safe, peaceful and prosperous society. Philosophy in this case aims to develop scientific resources to provide comprehensive knowledge and policies that target problem solving through the thoughts of scholars and experts.

Philosophy has several main branches of science including:

- a) Ontology

The term ontology was first used by Rudolf Goclenius in 1636. But ontology as a term of philosophy was standardized by Christian Wolff and Alexander Gottlieb. Wolff in the work entitled *Philosophia Prima Sive Ontologia* states that the method of ontology is deductive. In this way, the fundamental principle of everything is established and is non-contradictory. For Wolff, the universe is ontologically a collection of beings, each of which has an essence.

Ontology is the oldest branch of philosophy. It is the branch of philosophy that seeks and finds the essence of things that exist. This probably started because human life is being born and existing in a pre-existing environment without any interference from it. Individually, a person is born by a process outside of him. He is predetermined and inevitably has to accept what he is, he is born at a time and place or situation that he could not have chosen beforehand, as well as his gender and so on in the form of "destinies" or *sunnatullah* that apply to him. The ontological review discusses the existence or existence of an object to be studied. Some views assume that everything is material, while others argue that all that exists has a spiritual nature. These views influence how we view an object.

- b) Epistemology

Historically, the term epistemology was first used by J.F. Ferrier, to distinguish two branches of philosophy, ontology and epistemology. The area of epistemology is related to three areas namely metaphysics, logic and psychology. Epistemology is a branch of philosophy that talks about the knowledge of the nature of science, and science

as a process is a systematic and methodical thinking effort to find the principles of truth contained in an object of study of science. What is the object of study of science, and how far the level of truth that can be achieved and how truth can be achieved in the study of science, objective, subjective, absolute and relative truth. Epistemology of knowledge is basically how to get the right knowledge by considering the ontological and axiological aspects of each science.

Epistemological review talks about what conditions and rules must be met by a particular object. This relates to the way, method or approach that will be used to look at the object.

c) Axiology

Axiology is a term derived from the Greek word *axios* which means appropriate or reasonable. While *logos* which means science. Axiology is understood as a theory of value. The axiology of science is a science that investigates the nature of value, which is generally viewed from a philosophical point of view. The value in question is something that humans have to make various considerations about what is valued.

Axiology includes values, parameters for what is referred to as truth or reality as our lives explore areas, such as social areas, material physical areas, and symbolic areas, each of which shows its own aspects.

d) Ethics

Ethics is a branch of philosophy that seeks the nature of good and evil values related to a person's deeds and actions, which are carried out with full awareness based on the consideration of their thoughts. Ethical issues are issues related to human existence in all its aspects, both individual and social. Horizontal relationships with God, with fellow human beings and also with nature where he lives. This existence can be in the economic, social, political, cultural and religious fields.

Ethics is also called moral philosophy, it is a branch of the discipline of axiology that discusses and tries to get conclusions about the norms of action and searches into the nature of morality or moral actions. Ethics analyzes concepts related to imperatives, necessity, duty, moral rules, right, wrong, obligation, responsibility and others. The division of the field of ethical studies concerns at least :

- 1) Scriptural morality.
- 2) Theological ethics
- 3) Philosophical ethics (philosophical ethics) and
- 4) Religious morality.

Law itself in Latin is called '*ius*' from the word '*iubere*' which means to organize and rule originating from the power of the State or government. In Arabic '*qonun*' which means law. Etymologically, the term law (Indonesia) is called 'law' (English) and *reerecht* (Dutch and German) or '*droit*' (French).

Some experts' opinions about law:

- a) According to Paul Scholten in his book '*algameen Deel*' states that, the law is a guide to what is worth doing what is not, so the law is an order.
- b) Another opinion according to Mochtar kusumaatmdja, law is the whole principles and rules governing human life in society and also includes institutions and processes of realizing the enactment of these rules in society as a reality.
- c) Furthermore, O. Notohamidjojo argues that law is a set of rules, both written and unwritten, which generally has a compelling nature based on human behavior in society.

We can conclude that the law is all the rules or methods in collective life that can be enforced with a sanction in its implementation and has the task of ensuring legal

certainty in society. Gustav Radbruch said that a good law is when the law contains the values of justice, legal certainty and usefulness. Although all three are the basic values of law, each value has different demands from one another, so that all three have the potential to conflict with each other and cause tension between the three values.

In accordance with Article 1 paragraph (3) which states, "The State of Indonesia is a State of Law." In the concept of the rule of law, it is idealized that what must be used as commander in the dynamics of state life is law, not politics or economics. Therefore, the jargon commonly used in English to refer to the principle of the State of Law is 'the rule of law, not of man'. The so-called government is essentially the law as a system, not individuals who only act as puppets of the system scenario that governs them.

In a state of law, all parties, be it the ruler, the people, and the state itself, must be subject to the law. And also every attitude, behavior, and action must comply with the law. Indonesia as a country that implements a positive legal system has a complex legal framework that develops rapidly in line with the development of society and the demands of the times. Although laws and regulations have been established to regulate various aspects of social, economic and political life in Indonesia, it is important to consider the ethical dimension in the formation of these laws.

The ethical foundation of law is an important aspect of law that guides the formation, interpretation and implementation of law. Legal ethics encompasses the values, moral principles, and philosophical considerations that underlie law. In the Indonesian context, a deep understanding of the role of legal philosophy in shaping the ethical foundation of law is highly relevant. This not only affects how the law is applied in society, but also reflects the values and justice upheld by the Indonesian state and society.

2. Philosophy of Law and Justice

Judging from its understanding, legal philosophy has developed since the Greek period and is defined by many thinkers with various formulations, which basically state that legal philosophy questions the nature of the law itself. Philosophy of law as a discipline that combines philosophy with legal principles, has an important role in shaping the nature of justice in the legal system of a society.

Some opinions about what is meant by the philosophy of law according to experts:

- a) Satjipto Rahardjo expressed his opinion that the philosophy of law questions the basic questions of law. Questions about the nature of law, about the foundations for the binding force of the law.
- b) Langmeyer Philosophy of law is a philosophical discussion of law.
- c) Purnadi Purbacakara, defines the philosophy of law as contemplation and formulation of values and also includes the harmonization of values, for example, the harmonization between order and tranquility between the material and the natural.
- d) Gustaf Radburg interprets the philosophy of law with the meaning of three aspects, namely. The aspect of justice in the form of equality for all people before the court. The aspect of the purpose of justice or finality is to determine the content of the law, because the content of the law is in accordance with the content of the law to be achieved. The aspect of legal certainty or legality is to ensure that the law can function as a rule that must be obeyed.
- e) Mahadi defines legal philosophy about everything in the field of law to its roots in depth.

It can be interpreted that the philosophy of law is a philosophy that contemplates the philosophical aspects of legal existence and legal practice. The object of legal philosophy is law. Philosophy of law studies law both speculatively and critically. Speculatively means

that legal philosophy asks questions about the nature of the law itself and critically legal philosophy seeks to evaluate existing ideas about law, related to its coherence and function.¹

The development of legal philosophy will continue in every era and in every discipline. Because it is the main foundation of all fields of knowledge that examine with a variety of approaches, forms, and complex theories both empirically and normatively. Here are some significant stages in the development of legal philosophy thought:

a. Classical Legal Philosophy (469 BC).

Classical legal thought was influenced by the thoughts of ancient philosophers such as Plato and Aristotle. They emphasized the concepts of justice, natural law, and the relationship between law and morality. Plato believed that the main goal of a state should be to prioritize the enforcement of justice. This view placed law and justice as the main focus of politics. In his work, "The Republic", Plato emphasized that justice and just laws are the fundamental foundation and the main goal to be achieved.

b. The Middle Ages and Religious Law.

In this period, law was strongly linked to religion, especially in the form of canon law derived from the teachings of the Catholic Church. Philosophical thinking in it was heavily influenced by theology and religious views.

c. Renaissance Thought and Natural Law (1588-1679).

The Renaissance era brought new thinking about natural law that was not only related to religious beliefs, but also to universal principles that apply to all humans. Philosophers such as Thomas Hobbes and John Locke developed theories of natural law that influenced legal thinking at the time.

d. Legal Positivism.

e. Legal positivism, which developed in the 19th and 20th centuries, emphasized that law is what exists factually and not what should exist morally. The main influence came from legal philosophers such as John Austin and HLA Hart.

f. Critical of Positivism based on positivism

The development of modern legal philosophy shows an increasingly strong criticism based on the positivistic view. Theories such as critical law, hermeneutic law, and social constructivism bring a new understanding of the complexity of law. including the role of language, culture, and social context in legal interpretation.

In the recorded history of Ancient Greek philosophers, especially Socrates, Plato and Aristotle, they discussed a lot about justice from the level of ideas and concepts to the practical level of where and when justice is applied or enforced. Aristotle made an important distinction between numerical equality and proportional equality. Numerical equality equates every human being as a unit. He further distinguishes types of justice into distributive and corrective justice.

a) Distributive Justice gives to each person a ration based on his or her merit. So giving everyone what he is entitled to is based on the principle of balance.

b) Distributive justice according to Aristotle focuses on the distribution of honor, wealth, and other goods that are equally available in society.

c) Corrective justice is tasked with rebuilding equality. Corrective justice is the domain of the judiciary while distributive justice is the domain of the government. Ultimately, truth and justice are noble and absolute values sparked by the majesty of God Almighty.

There are several concepts of justice according to experts, among others:

a) Theories of Justice according to Plato, Aristotle, Thomas Aquinas

Thomas Aquinas, known as the successor to the Aristotelian tradition of philosophy, to a certain extent continued Aristotle's line of thought and also the Stoics. Thomas distinguishes three kinds of law, namely eternal law (*lex aeterna*), natural law (*lex naturalis*), and human law and positive law (*lex humana*), and gives his views on the issue of justice. The virtue called justice according to Thomas Aquinas determines how people relate to other people in terms of *iustum*, namely regarding what is appropriate for others according to a proportional equality (*aliquid opus adaequatum alteri secundum aliquem aequalitatis modum*).

b) John Rawls' Theory of Justice

In the Modern Century, one of the people who is considered to have an important role in developing the concept of justice is John Borden Rawls. Rawls, argues that justice can only be upheld if the state implements the principles of justice, in the form of everyone should have the same right to basic liberties, and social and economic differences should be arranged in such a way as to benefit those who are most disadvantaged, and with regard to positions and positions that are open to all people based on equal opportunities. decent.

c) Justice in the Perspective of Legal Science

In relation to the philosophy of law, justice is realized through law so that it can be concluded that the law that embodies justice is absolutely necessary in human life. Without law human life becomes chaotic and will lose the possibility to develop humanely. Social chaos, internal conflicts, frequent changes of government, many arbitrariness, injustice are and external impetus to reflect on the relationship between supreme justice and positive law.

It is said in Homeric works that law is the center of study and is something definite and fixed. Justice is still synonymous with command and authority. The awareness of the conflict between positive law and justice became more prominent in the eighth century. This situation arose because of insecurity in society, dissatisfaction based on the aristocratic system of government, and many abuses of power. At that time, there was indeed a conflict between justice versus injustice. The existence of the aforementioned matters became the center of attention of Greek thinkers, as well as thoughts about law since then and even now.

Interpreting justice always starts with justice as well as other legal objectives, namely legal certainty and expediency. Justice is not explicitly written in the text but lawmakers have seen in the making of legislation products based on justice which is part of the purpose of the law itself, as in the ethical theory that the purpose of law is solely to realize justice (justice), which is contained in the theory of classical legal objectives while in the standard modern priority theory that exists in modern theory, namely the purpose of law includes justice, benefit and certainty.

Justice is a necessity that must be upheld in the legal system in Indonesia. Justice is the key to success in building every civilization of the Indonesian nation and other countries, as an effort to provide social welfare, and equal distribution of rights and obligations that must be fulfilled by every human being. Therefore, the principles of justice must be able to be implemented as an effort to build awareness to every human being and state official.

3. The legal system in Lawrence M. Fiedman's theory

From the philosophers' views on justice above, at least it raises the question of how to achieve a just law. A sense of justice as a concept that refers to the feeling that all people get the same rights before the law and are given justice according to their actions. in the life around us, a lot of state officials who practice corruption of public money, law enforcement

officers who are not corporate, it actually reflects legal injustice based on the little people. this problem often arises from such behaviors. This is one that is related to the legal system.

The legal system has a huge influence on the existence of a country, from one country to another. This clearly makes state experts constantly challenge what is behind the different systems in countries in this world. The word system comes from the Greek "systema" which can be interpreted as a whole consisting of various parts. According to Sudikno Mertokusumo, the legal system is a complete order or unity, namely rules or statements about what should be, so that the legal system is a normative system. According to the Black Law Dictionary, the Legal System can be defined as a collection of ideas that have been historically challenged with respect to the application of law, and law in general, as well as political ideology, organizational structure, and system formation.

There are two major legal systems in the World, namely the common law or Anglo-Saxon legal system and the Civil law or Continental legal system. The Anglo Saxon Legal System tends to prioritize customary law, law that runs dynamically in line with the dynamics of society, the source of law in this legal system is the decision of a judge or court. This legal system is applied in Ireland, England, Australia, New Zealand, South Africa, Canada and the United States. Unlike the Continental European legal system, the law is based on a codified civil code.

Friedman suggests that there are at least four functions of the legal system that must be considered:

- a) Law as part of a social control system, which regulates human behavior.
- b) As a means to resolve disputes.
- c) Law has a function as a social engineering function.
- d) As social maintenance, which is a function that emphasizes the role of law maintaining the "status quo" that does not want change.

The main ideas of Lawrence Meir Friedman in his book *The Legal System A Social Science Perspective* are as follows. First of all, Friedman provides a definition of law, which is a set of written or unwritten rules or norms about right and wrong, behavior, duties, responsibilities and rights.

With the definition of law as mentioned above, Friedman argues that law is considered as something independent or as something apart from the social life system. Such a view considers that legal structures and rules are at a theoretical level, while actions or behaviors are at the level of life. Friedman states that the legal system consists of three components, namely structure (legal structure), substance (legal substance), and culture (legal culture).

The legal structure is an institution created by the legal system with various functions in order to support the operation of the system. This component is possible to see how the legal system provides services based on the cultivation of legal materials in an organized manner.

Substance (legal substance) is the output of the legal system, in the form of regulations, decisions that are used both by those who regulate and those who are regulated. Culture (legal culture) which consists of values and attitudes that influence the operation of law, or by Friedman referred to as legal culture.

This legal culture serves as a bridge that connects the rule of law with the legal behavior of all citizens. Friedman in his theory explains that the three elements of law must work together so that laws made to uphold justice can run effectively, and justice is felt by the people governed by the law itself.

- a) Legal Substance

The substance of the law means what determines whether or not the law can be carried out. Substance can also mean products produced by humans within the system, which includes the decisions they issue or newly drafted regulations. Now if it is said that the substance of the law can be said to be rules or norms and concrete human behavior in the system, in the substance of the law there is also the term product, namely a newly formulated and newly made decision which according to the rules of law will be made if it goes through the event first. Article 1 of the Criminal Code stipulates "An act cannot be punished, except based on the provisions of the applicable law."

This system greatly affects the legal system in Indonesia. Those who violate the provisions of the law will feel guilty and will run away from the existing sanctions. The substance of the law also applies to living and existing laws, not only the rules that have been standardized in the statute book. Indonesia as a country that adheres to the Continental European system and some also adhere to the common law system. Problems caused in terms of substance because the Indonesian state using Continental Europe still adheres to the Dutch system and has long been grounded in Indonesia.

b) Legal structure

This means an existing form of the legal system that always oversees the process of staying within its circle. The structure consists of the number and size of the courts, their jurisdiction, namely the type of cases that are examined and the procedural law used, including in this case all the rules made by the Legislature. In this second theory about legal structure according to M. Friedman's theory as a structural system that determines whether or not the law can be implemented properly. In accordance with Law No. 8 of 1981, it includes the Police, Prosecutors, Courts and Criminal Implementation Agency. The authority of law enforcement agencies is guaranteed by legislation. Thus in carrying out its duties and responsibilities regardless of the influence of government power and other influences.

The law will not run firmly if there are no professional, competent, and independent law enforcers and credibility. This depends on the law enforcers in carrying out their duties. Whatever good the rules are if they are not supported by good law enforcement officers will be awkward. From the mentality of law enforcement itself. The weakness and authority of corrupt law enforcers or poor mentality will also affect the objectivity of their performance. Problems arising from the legal structure of this theory are one of them abuse of authority, lack of transparency, violation of procedures. As a law enforcer should be able to set an example and be a good servant for the community instead of being a negative image in the community. A good legal structure will not run well if it is not supported by a good legal substance as well.

c) Legal culture.

As a legal culture is an atmosphere of social thought and is a social force that strengthens how the law is used, avoided or misused. Formulated by Friedman, legal culture as attitudes and values related to law that can have a good or bad influence on human behavior. Legal culture is the overall factor that determines how the legal system gets a definite and logical place in the cultural framework in society as a whole. The relationship between the three elements of the system will not be strong like a machine tool without fuel. Structure is likened to a machine, substance is what the machine does and produces, while legal culture is anything, anyone who connects the machine may be turned off or turned on when the machine is utilized.

M. Friedman's theory can be used as a guideline in measuring the law enforcement process in Indonesia. The police are part of the structure along with

prosecutors, judges, lawyers and community institutions. Coordination between these law-serving components determines the strength of the legal structure. The enforcement of the law is not determined by the structure, but also related to the legal culture in the community. As said by Friedman's theory that the three elements in accordance with the theory have not been implemented properly, especially in the legal structure and legal culture. For example, law enforcers taking care of drug problems themselves are even involved in drug problems.

Similarly, the law enforcer, as a prosecutor, is himself involved in a legal case. This shows that the elements of legal structure and culture have not been objectively instilled in the law. Law as a tool to change society or social engineering is nothing but the ideas that the law wants to realize. To ensure the achievement of the function of law as engineering society towards a better direction.

Structure and substance are the core components of a legal system, but only as a design or blueprint and not a working machine. Structure and substance become a problem because both are static, both are like pictures of the legal system. The portrait is devoid of motion and truth, and is like a beautified courtroom, frozen, rigid, prolonged pain.

According to Dr. Friedman, the missing element that gives life to the legal system is legal culture. Legal culture refers to attitudes, values and opinions in society with an emphasis on law, the legal system and some parts of the law. Legal culture is part of the general culture of habits, opinions, ways of working and thinking that bind people to approach or move away from the law in specific ways. Within this framework, Friedman views that of the three components above, legal culture is the most important component.

Legal culture is seen as determining when, why and where people use the law, legal institutions or legal processes or when they use other institutions or make no legal efforts. In other words, cultural factors are an essential ingredient for transforming static structures and collections of static norms into a living body of law. Adding legal culture to the picture is like turning a clock or starting an engine. Legal culture sets things in motion.

According to Friedman, the importance of legal culture is that this concept is an important variable in the process of generating static law and legal change. Friedman further explains attitudes and values in legal culture. Attitude according to Friedman is a situational legal culture. This concept refers to the attitudes and values of the general public. The second concept is internal legal culture. This concept refers to the attitudes and values of professionals working in the legal system, such as lawyers, judges, law enforcement and others. Friedman also said that the legal culture of the situation is not homogeneous. Different parts of society have different values and attitudes based on the law.

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Legal culture can change at any time as a result of the development of legal awareness. This change is embedded in the fact that certain values or attitudes based on the law become no longer appropriate for society. This happens when a society develops an awareness of individual rights and democracy and abandons old ideas such as status and patriarchal systems. This is spearheaded by a small class of legal elites who adopt an internal legal culture. Conversely, when the legal culture changes, people will be more open based on changes in legal institutions and the law itself. In such a situation, foreign laws can be easily adapted and implemented.

Friedman endorses the concept that changes in legal consciousness can be influenced by external factors such as economic, political and social events. Legal culture is the most pertinent variable. Social forces make law, but they do not make it directly. On the one hand, legal consciousness changes legal culture, legal culture changes the legal system, and the legal system affects the broader socio-economic and political systems. And on the other hand, socio-economic and political pressures strongly influence legal consciousness.

CONCLUSION

Justice in legal philosophy is the main foundation that must be realized in existing laws. Justice is shaped by right thinking, done fairly and honestly, and is responsible for the actions taken. A sense of justice and law must be upheld in the legal system to uphold justice in the reality of the society that requires it. From Lawrence M. Friedman's theory, it is found that the effectiveness and success or failure of law enforcement depends on three elements of the legal system, namely legal structure, legal substance and legal culture. Legal structure concerns law enforcement officials, legal substance includes legal instruments of legislation, and legal culture is a living law adopted in the community. The structure is a pattern that shows how the law must be carried out according to its formal provisions. The structure shows how the courts, rule makers and legal bodies and processes run and run. The philosophy of law helps us to be able to examine the legal system to ensure that when it functions it can value justice as one of the objectives of the law.

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