

The Role of Legal Theory in Developing Legal Analysis

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ARTICLE HISTORY

Received: January 03, 2026
Revised: January 25, 2026
Accepted: January 28, 2026

DOI

<https://doi.org/10.52970/grdis.v6i1.2056>

ABSTRACT

Legal theory plays a crucial role in the development of juridical analysis, as it enables a deeper understanding of legal concepts and principles, as well as their application in addressing existing legal issues. Legal theory provides the foundational framework for the evaluation and interpretation of law within a broader social context, linking legal norms with the realities of societal life. This journal aims to examine how legal theory contributes to the development of juridical analysis and its impact on the evolution of law in Indonesia. By analyzing the relationship between legal theory and legal practice, this study seeks to offer insights into how legal theory can be applied to formulate solutions to emerging legal problems.

Keywords: Legal Theory, Juridical Analysis, Legal Development, Law Application, Normative Theory.

I. Introduction

Legal theory, in essence, is a scientific study that explores the principles and foundations of law applicable in society. This theory not only discusses how law is formed but also identifies how it is applied and how it should be implemented in social life. In this regard, legal theory is inseparable from juridical analysis, which functions to interpret and apply legal norms to concrete situations. Juridical analysis itself aims to explore and understand the meaning behind a legal regulation in a specific context, as well as to evaluate its application. The importance of legal theory in the development of juridical analysis is evident in how existing legal theories provide a basis for the legal decision-making process. For example, the theory of legal positivism emphasizes law as a firm norm separate from morality, while the theory of natural law prioritizes universally applicable moral values. These two theories can be integrated in juridical analysis to gain a more holistic understanding of a legal case.

Legal theory also serves as a tool for understanding the dynamics of legal change in society. Law does not exist in a vacuum but always interacts with prevailing social, cultural, and political values. Therefore, understanding legal theories provides a deeper perspective on how law evolves in line with societal changes and the challenges of the times. For example, in the Indonesian context, law must be able to adapt to local cultural values and resolve social problems that arise as a result of rapid social and economic change. Legal theory also provides guidance for decision-makers in the judicial system to ensure that the law is applied fairly and appropriately. In judicial decision-making, legal theory serves as an analytical tool to assess whether a decision complies with applicable legal principles and the justice expected by society. Therefore, the

integration of legal theories in juridical analysis enables legal practice to be more effective, responsive, and in line with evolving societal demands.

II. Research Method

This research employs a descriptive analytical method with a qualitative approach. This type of research aims to explain the role of legal theory in juridical analysis through an in-depth literature review and analysis of various relevant legal sources. This research focuses on theoretical studies that analyze the contribution of legal theory to the understanding, evaluation, and application of law in evolving social contexts. The data used in this study comes from various secondary sources, including textbooks, scientific journals, legal articles, and other legal documents discussing legal theories and juridical analysis. The qualitative approach allows the author to explore existing theoretical thinking, critically analyze it, and relate it to the legal situation in Indonesia. Furthermore, the data also includes relevant court decisions, regulations, and legal practices, which serve as analytical material to assess the extent of the application of legal theory within the existing legal system.

In this research, the author will identify and examine the contributions of various legal theories (legal positivism, natural law, social theory, etc.) in resolving legal problems faced by society, as well as examining the application of these theories in court practice and legal policy. This analytical approach allows the research to explore the relationship between legal theory and practice in depth, with the goal of understanding how legal theory shapes legal policies that are just and responsive to social, political, and economic developments in society. Furthermore, this research also aims to evaluate the contribution of legal theory to the formation of a more adaptive legal system, thus able to respond to dynamic social changes and challenges. Thus, this research is expected to make a significant contribution to the development of legal science and the better implementation of law in Indonesia.

III. Result and Discussion

3.1. The Role of Legal Theory in Developing a Juridical Analytical Framework

Legal theory plays a fundamental role in developing a juridical analytical framework that enables a deeper and more systematic understanding of legal issues. Legal theory provides methodological guidance that guides legal practitioners and academics in analyzing legal problems in a structured manner. Without a clear theoretical basis, legal analysis tends to be unfocused, and legal problem-solving can be subjective and inconsistent. Legal theories provide the necessary framework for interpreting and evaluating applicable legal norms and provide guidance on how those laws should be applied within a broader social context. In other words, legal theory not only explains what law is, but also how law functions in society and how legal norms interact with existing social values. For example, the legal positivism theory proposed by Hans Kelsen and Herbert Hart views law as a system of norms separate from morality. Legal positivism emphasizes that law is a set of valid rules that must be applied objectively, without involving moral considerations. In this context, legal analysis focuses on the application of written legal provisions and their enforceability, regardless of whether these rules are considered fair or in accordance with societal moral values. Therefore, this approach emphasizes consistency and legal certainty in its implementation, but can neglect the need to consider substantive justice in specific cases.

On the other hand, natural law theory, developed by figures such as Aristotle and Thomas Aquinas, proposes that law must be in line with universal moral principles and values. According to this theory, law consists not only of rules established by the state but also must reflect a deeper justice and cannot be separated from moral values that apply broadly in society. Therefore, in applying natural law theory, legal analysis focuses on examining whether existing laws reflect moral principles generally accepted by humanity. This would include considerations of social justice, human rights, and higher moral values. An Integrative

Approach between Legal Positivism and Natural Law Although legal positivism and natural law are often considered opposing theories, applying both in legal analysis can yield a more holistic understanding of a legal issue. By combining an approach that emphasizes the application of clear, written law (positivism) with a deeper consideration of moral values and justice (natural law), legal analysis can broaden the scope of its assessment. This will enable legal decision-makers, both in the courts and in the formulation of public policy, to consider aspects of legality and substantive justice simultaneously. Examples of the application of this approach can be seen in cases involving human rights, where a country may have valid legal regulations that conflict with universal moral principles. In such situations, a legal analysis that combines natural law theory and legal positivism can produce a more just solution, one that not only prioritizes legal order but also prioritizes social justice and individual rights.

3.2. The Influence of Legal Theory on Legal Practice

The application of various legal theories in legal analysis also has a significant impact on daily legal practice. In the judicial system, these theories will guide judges and lawyers in determining how they interpret and apply the law in the context of the case at hand. For example, a judge who adopts the theory of legal positivism will focus more on applying written law as approved by authorized institutions, while a judge who adheres to a natural law perspective might consider universal moral values more when making decisions. Furthermore, the development of legal theories, particularly those focused on social and humanitarian issues, can help address contemporary legal challenges. In an era of globalization and rapid technological development, the law must adapt to these changes to remain relevant. Therefore, the integration of various legal theories in juridical analysis will encourage the creation of more inclusive, responsive, and equitable legal solutions that are acceptable to the wider community and reflect the desired social justice.

3.3. Legal Theory Development in Response to Social Change and Public Policy

Legal theory does not develop independently of changes occurring in society. Social, political, and technological changes require legal theory to be dynamic and responsive. One example is in addressing global issues such as climate change, human rights, and social justice. International legal theory is becoming increasingly important in formulating regulations governing relations between states regarding global issues that require international cooperation. International treaties, such as the Paris Agreement, serve as concrete examples of how international law addresses shared global issues. Therefore, international legal theory needs to continue evolving to address these global challenges. As technology advances, new legal challenges emerge. Artificial intelligence (AI), blockchain, and the Internet of Things (IoT) introduce issues previously unregulated by existing law. Issues such as data privacy, cybercrime, and consumer rights protection in the digital world require greater attention in legal theory. Therefore, legal theory must be updated to encompass new regulations that protect individual rights and regulate the wise use of technology. Furthermore, regulation of this technology also requires a clear and accountable legal framework. In Indonesia, the development of legal theory must reflect the cultural diversity and customary laws that exist within society. Indonesia, with its rich diversity of ethnicities, religions, and traditions, requires an inclusive legal theory. Customary law still plays a significant role in many regions, so the development of legal theory must take this into account. Therefore, it is crucial to combine positive law with customary law so that the national legal system is acceptable to various groups. This will create a legal system that is responsive to the needs of Indonesia's diverse society.

IV. Conclusion

Legal theory plays a crucial role in the development of legal analysis, as it provides a solid conceptual foundation for understanding and evaluating legal issues. Through legal theory, legal analysis not only

provides a more in-depth explanation of the legal issues at hand but also enables the formulation of more relevant and applicable solutions, in line with ever-changing social dynamics. Thus, legal theory serves not merely as a tool for understanding the law but also as an instrument that can be used to improve and update the existing legal system. The importance of the ongoing development of legal theory is undeniable, given the ever-evolving challenges of the times. Therefore, legal theory must continually adapt to the social, political, and technological changes that affect society. This development aims to ensure that the law remains relevant and can be applied fairly, and in accordance with universal values of justice and human rights, so that the law can function as an effective tool in creating order and social justice in society.

References

- Dworkin, Ronald. *Law's Empire*. Cambridge, MA: Harvard University Press, 1986.
- Hart, H. L. A. *The Concept of Law*. Oxford: Clarendon Press, 1961.
- Kelsen, Hans. *General Theory of Law and State*. Cambridge, MA: Harvard University Press, 1945.
- Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971.
- Soerjono, Soekanto. *Teori Hukum: Sebuah Pengantar*. Jakarta: Rajawali Press, 2018.
- Tarigan, J. A. *Analisis Yuridis dalam Hukum Positif Indonesia*. Bandung: Alumni, 2020.
- Friedman, Lawrence M. *The Republic of Choice: Law, Authority, and Culture*. Harvard University Press, 2005.
- Kelsen, Hans. *Pure Theory of Law*. Berkeley: University of California Press, 1970.
- Tushnet, Mark. *Taking the Constitution Away from the Courts*. Princeton: Princeton University Press, 1999.
- Tushnet, Mark. *The New Constitutional Order*. Princeton: Princeton University Press, 2008.
- Schauer, Frederick. *Playing by the Rules: A Philosophical Examination of Rule-based Decision-Making in Law and Life*. Oxford: Clarendon Press, 1988.
- Tarigan, J. A. *Hukum dan Masyarakat: Analisis Sosial dalam Perspektif Hukum*. Bandung: Alumni, 2015.