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“Reconstruction of Legal Research Paradigms: From Positivism to Post-Positivism in the Context of Doctoral Dissertations” (Focus: Paradigm Shifts (Positivism, Progressive, Critical) and Their Implications for Doctoral-Level Research)

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Abstract: This study examines the implications of the paradigm shift in legal research from a legalistic-positivist orientation toward post-positivist and progressive-critical approaches within doctoral legal scholarship. The research is motivated by the increasing recognition that legal positivism, while contributing to legal certainty and systematic legal reasoning, is limited in addressing complex social realities and substantive justice. Employing a normative legal research method with conceptual and philosophical approaches, this study analyzes paradigms of legal thought based on ontological, epistemological, and axiological dimensions as formulated in the framework of Guba and Lincoln. The analysis further engages with major legal theories, including legal positivism, legal realism, critical legal theory, constructivism, and progressive legal thought. The findings indicate that positivism emphasizes legal certainty and objectivity through formal normative structures, while post-positivism introduces epistemological reflexivity and methodological pluralism by acknowledging the limitations of knowledge. Critical legal theory challenges the neutrality of law by revealing its embedded power relations and transformative potential, whereas progressive legal thought advances a human-centered paradigm that prioritizes substantive justice and social welfare. The study concludes that the paradigm shift in legal research reflects a broader transformation in legal philosophy from formal legality toward substantive justice. This shift repositions law as a dynamic social institution that must respond to human needs, social context, and moral responsibility. Ultimately, the progressive paradigm reinforces the role of law as an instrument for social transformation and the advancement of human dignity.

Keywords: legal paradigm, positivism, post-positivism, progressive law, legal philosophy, doctoral research.

INTRODUCTION

Paradigm serves as the epistemological foundation that shapes how knowledge is understood, interpreted, and produced. In legal research, paradigms function not merely as methodological frameworks but as fundamental belief systems that influence assumptions regarding the nature of law, social reality, and the relationship between them. Denzin and Lincoln conceptualize paradigms as basic belief systems that guide researchers in making ontological, epistemological, and methodological choices. Consequently, legal research is inseparable from the paradigmatic orientation adopted by researchers, as such orientation determines both the object of inquiry and the interpretation of legal phenomena.

For decades, legal scholarship has been predominantly influenced by the positivist paradigm, which conceives law as an autonomous system of norms whose validity derives from formal legal sources. Under this perspective, legal analysis is directed primarily toward the interpretation of statutory provisions, legal consistency, and normative certainty. Hans Kelsen's Pure Theory of Law represents a prominent expression of this approach by emphasizing the separation of law from moral, political, and sociological considerations. Positivism has undoubtedly contributed to the development of legal certainty and systematic legal reasoning; however, its emphasis on formal legality has frequently been criticized for overlooking the social realities surrounding legal problems.

The limitations of legal positivism become particularly evident when legal norms are confronted with complex social issues such as gender-based violence, human trafficking, restorative justice, and other cases involving vulnerable groups. In such contexts, strict adherence to normative texts may fail to capture lived experiences, power relations, and social inequalities that significantly influence legal outcomes. As a result, substantive justice may be subordinated to procedural compliance, creating a gap between law in books and law in action.

These criticisms have encouraged the emergence of post-positivist and progressive-critical approaches to legal research. Unlike positivism, post-positivism acknowledges that legal reality cannot be fully understood through objective observation of legal texts alone. Drawing upon the notion of intersubjective social reality, legal meaning is viewed as being constructed through interactions among legal actors, institutions, and society. This perspective allows researchers to examine not only the content of legal norms but also the social processes through which law is interpreted, negotiated, and implemented.

Such developments are consistent with broader legal theories that regard law as a product of social life. Von Savigny argued that law emerges from the spirit of the people (*Volkgeist*) and evolves alongside societal development, while Cicero emphasized the relationship between law, reason, and cultural values. These perspectives suggest that law is neither created in isolation nor detached from its social environment. Rather, law is continuously shaped by historical, political, economic, and cultural dynamics. Consequently, legal research that focuses exclusively on normative texts risks neglecting the broader social context that gives law its meaning and effectiveness.

The growing shift from legalistic-positivist approaches toward progressive-critical paradigms has important implications for doctoral legal research. Legal scholarship is increasingly expected to move beyond the examination of legal norms and provide deeper analyses of social justice, power relations, and human dignity. Doctoral dissertations are therefore challenged not only to generate normative recommendations but also to contribute to social transformation and the strengthening of humanistic values within legal systems.

Despite the increasing recognition of progressive and critical approaches in legal scholarship, questions remain regarding the implications of this paradigmatic transition for the orientation, methodology, and societal contribution of doctoral legal research. Therefore, this study seeks to answer the following research question: *How does the shift from a

legalistic-positivist paradigm to a progressive-critical paradigm in legal research influence social transformation and the strengthening of human values within the context of doctoral legal dissertations?.

METHOD

This study employs a normative legal research method (doctrinal legal research) using conceptual and philosophical approaches. The normative approach is adopted because the research focuses on examining legal concepts, theories, and paradigms related to the transformation of legal research from a legalistic-positivist orientation toward a progressive-critical paradigm.

The conceptual approach is utilized to analyze key concepts concerning legal research paradigms, legal positivism, post-positivism, progressive law, and social transformation within legal scholarship. Meanwhile, the philosophical approach is applied to examine the ontological, epistemological, and axiological foundations underlying different paradigms of legal research, particularly those articulated by Denzin and Lincoln and further reflected in the legal thought of Hans Kelsen, Friedrich Carl von Savigny, Cicero, Pierre Bourdieu, and Satjipto Rahardjo.

The sources of legal materials consist of primary and secondary legal materials. Primary legal materials include relevant legislation and legal policies associated with the development of legal research methodologies and legal reforms. Secondary legal materials comprise scholarly books, peer-reviewed journal articles, doctoral dissertations, research reports, and other academic publications addressing research paradigms, philosophy of science, legal theory, sociology of law, and progressive legal thought.

Data collection is conducted through library research by systematically reviewing and examining relevant literature. The collected legal materials are subsequently analyzed using qualitative descriptive-analytical and interpretive methods. The analysis focuses on identifying the characteristics of positivist and progressive-critical paradigms, comparing their underlying philosophical assumptions, and evaluating their implications for the orientation and development of doctoral legal research.

Through this analytical framework, the study seeks to explain how paradigm shifts in legal research influence the construction of legal knowledge, the direction of doctoral legal scholarship, and its contribution to social transformation and the advancement of humanistic values in contemporary legal practice.

RESULTS AND DISCUSSION

A paradigm is the most fundamental philosophical framework that unites the three main elements—ontology, epistemology, and methodology—into a single belief system that cannot be interchanged. This system functions like a “large roof” that covers the worldview of its adherents, while also guiding how they think, behave, and understand the reality around them.

There are two main ways scholars define a paradigm. First, a paradigm is broadly understood as a disciplinary matrix—a totality of shared commitments within a scientific community, including structural elements such as laws, theories, and models that operate as a unified system.

Conversely, the second understanding views paradigms more narrowly, locally, and specifically, focusing on shared commitments to certain laws, theories, or models within a particular scientific community. In this sense, the paradigm becomes part of the first definition, often referred to as an exemplar, namely a concrete example of how a problem is solved.

Paradigms direct the way their adherents think—consciously or unconsciously—about their field and how they intend to contribute intellectually. This is where theoretical debates begin to emerge. Therefore, fields such as law and social sciences are fundamentally multiparadigmatic: they accommodate various interpretations, even contradictory ones, of core issues within the discipline.

Among the various ways of classifying paradigms, the author chooses the Guba and Lincoln framework because it is considered more comprehensive, systematic, and reasonable. Their approach distinguishes paradigms based on answers to three fundamental questions, namely:

1. What is the nature and form of reality, and what can actually be known about it? This is called the ontological question.
2. What is the relationship between individuals or groups and the external world, and what can be known from that relationship? This is called the epistemological question, including axiological questions within it
3. How does a person, including a researcher, obtain answers to what they seek to know? This is called the methodological question.

Guba and Lincoln propose four main paradigms—positivism, post-positivism, critical theory, and constructivism—as a systematic framework for understanding reality. These four are distinguished based on the answers to the three questions above. The following is an explanation of the basic belief systems of each paradigm along with nine related practical issues:

Positivism

1. Ontology: Naïve realism—reality is real, objective, external, and can be fully understood.
2. Epistemology: Dualist/objectivist—the researcher and the object of study are two separate and independent entities; free from value influence.
3. Methodology: Experimental/manipulative—testing and verifying research questions and hypotheses empirically; controlling conditions; primarily using quantitative methods.
4. Practical issues: The purpose of research is to produce explanations in the form of prediction and control of phenomena. Knowledge is seen as an accumulation of verified facts. Quality is measured by realism, internal-external validity, and researcher objectivity. Research is value-free, with ethics formally established from outside. The researcher acts as a neutral expert supporting policymakers. Training emphasizes quantitative and technical skills. All paradigms are considered comparable to each other.

Post-Positivism

1. Ontology: Critical realism—reality is real and objective, but human understanding of it is always imperfect.
2. Epistemology: Modified dualist/objectivist—dualism is reduced, but objectivity remains the determining standard, especially external objectivity.
3. Methodology: Modified experimental/manipulative—using falsification through critical multiplism or triangulation; beginning to integrate qualitative techniques; more natural and situational approaches.
4. Practical issues: The aim remains to explain, predict, and control social or natural phenomena. Progress is measured by how accurate predictions are. Knowledge is considered objective facts produced through hypothesis testing. Knowledge grows gradually, where each new fact becomes the foundation for broader theory. Research quality is measured by ontological realism, high objectivity, internal and external validity, and reliability. Research remains value-free, with ethics that are extrinsic and formally

established from outside. The researcher acts as a neutral expert who becomes an informant for policymakers. Training focuses on technical expertise and quantitative-qualitative methodology. This paradigm is commensurable—can be compared and accommodated with other paradigms.

Critical Legal Theory et al.

1. Ontology: Historical realism—reality is not objective and neutral, but is formed by social, political, cultural, economic, ethnic, and gender factors.
2. Epistemology: Transactional/subjectivist—the researcher and the research object are interactively connected; findings are always mediated by values held by all parties.
3. Methodology: Dialogical/dialectical—there is a dialogue between researcher and object, which is dialectical, transforming ignorance and misunderstanding into critical awareness to dismantle oppressive structures.
4. Practical issues: The aim is to dismantle structural domination—social, political, economic, or gender-based—to promote social transformation through confrontational action and continuous emancipation. Knowledge is transformative and continuously evolving through historical revision. Knowledge grows dialectically through continuous refinement of understanding and elimination of misunderstandings. Quality is measured by success in eradicating false consciousness and promoting structural transformation. Knowledge is not value-free; it is value-bound and oriented toward empowerment. Ethics centers on moral enlightenment and human emancipation. The researcher acts as a facilitator, activist, and transformative intellectual. The approach uses mixed methods focusing on resocialization and empowerment. This paradigm is incommensurable—it cannot simply be compared with positivist paradigms because it is grounded in context-specific and transformative change.

Constructivism

1. Ontology: Relativism—reality is multiple and diverse, formed from social and individual experiences that are local and specific.
2. Epistemology: Transactional/subjectivist—the researcher and the object are interactively connected; findings are not discovered but co-created.
3. Methodology: Hermeneutic/dialectical—meaning construction is traced through dialogue between researcher and object, using hermeneutic techniques and dialectical exchange toward consensus.
4. Practical issues: The aim is to understand and reconstruct existing views toward consensus that remains open to new interpretations. Knowledge is considered a social construction that is relative, diverse, and able to coexist. Knowledge grows through hermeneutic and dialectical processes, becoming deeper and more sophisticated. Quality is measured by trustworthiness: credibility, transferability, dependability, and confirmability, as well as ontological authenticity, educational, catalytic, and tactical authenticity. Values are context-bound; ethics are intrinsic. The researcher acts as an active participant, facilitator of reconstruction, and process manager. Paradigms cannot be directly compared because they are relative to their context.

Progressive

The Progressive Legal Paradigm pioneered by Prof. Satjipto Rahardjo uses the same basic belief framework—ontology, epistemology, methodology, and practical issues—as used by Guba and Lincoln. Progressive Law is often seen as a “solution” to the deadlock of legalistic positivism in Indonesia. It shares a similar spirit with Critical Legal Theory in terms of transformation, but is more deeply rooted in legal sociology and human values.

1. **Ontology:** Humanistic realism (anthropocentric). Progressive Law does not view law as a dead text, but as an ongoing process (law as a process, law in the making). Law exists not for law itself, but for humans. If a rule causes human suffering, then that rule loses its legitimacy. Legal reality is fluid and continuously changes according to human needs for justice and happiness.
2. **Epistemology:** Subjective-interactive based on conscience. There is no separation between subject and object; researchers or law enforcers must not behave like “robots” that are cold and detached. Legal knowledge is not merely derived from reading texts, but from deep engagement with real human suffering and societal problems, mediated by conscience and empathy.
3. **Methodology:** Liberation and progressivity (rule-breaking). If Guba and Lincoln call it dialectics, Satjipto calls it “mobilization of conscience” or “search for substantive truth.” If formal procedures hinder justice, progressive methodology allows discretion and courage to step outside the text to save the true spirit of law.
4. **Practical issues:** The goal is to provide real solutions, happiness, and benefit for humans—not merely procedural legal certainty. Knowledge is organic and functional; law is understood as human behavior in justice, not merely rule-based logic. Knowledge accumulates through courageous legal breakthroughs that evolve with time. Quality is measured by social usefulness and public justice; law is considered good if it humanizes people. Law is not neutral; it must side with truth, honesty, and social welfare. Ethics in progressive law is an ethics of care based on compassion and moral responsibility, not merely administrative ethics. Legal practitioners act as agents of change who are active, creative, and compassionate. Training emphasizes spiritual and emotional intelligence in addition to legal intellectual ability. This paradigm is incommensurable to positivism because it rejects the dogma that law is merely legislation.

If compared with the four Guba and Lincoln paradigms:

1. **Progressive Law vs. Positivism:** strongly contradictory, because progressivism rejects absolute textual truth.
2. **Progressive Law vs. Critical Theory:** both aim to change conditions, but progressivism emphasizes spirituality, conscience, and national character rather than class or gender conflict alone.
3. **Progressive Law vs. Constructivism:** both believe law is a dynamic social construction, but progressivism has a more explicit final goal: human welfare.

“Law is not for itself, but for something broader and greater. Therefore, whenever there is a problem in law, it is the law that must be reviewed and corrected, not humans who are forced into legal schemes.” — Prof. Satjipto Rahardjo

Positivism Paradigm

Within the positivist paradigm, schools of legal philosophy such as legal philosophy, legal theology, and natural law understand law as the embodiment of ideal moral principles (*ius constituendum*) that are universal in nature. The main concern of these schools is not the positive law currently in force, but the law as it ought to be in order for justice to be realized. Therefore, they operate within a normative-normological framework to realize this legal ideal.

Meanwhile, in the perspective of legal positivism, law is narrowly understood as law as it is written, focusing on *ius constitutum* or positive law in abstract form. This school views law as an explicit product of legitimate political power, expressed in written commands to

ensure certainty. The operational domain of legal positivism thus originates from legislative positive norms.

From the explanation above, it is clear that both natural law and legal positivism share a naïve realist ontology, viewing law as an objective external reality separate from human subjects and fully knowable. Its epistemological approach is dualist-objectivist, implemented through empirical-quantitative methodology that tests law through hypothesis verification and strict variable control.

From the perspective of empirical legal philosophy, the main objective of legal research is to explain how effectively law regulates factual phenomena. Progress occurs when law functions better as a tool of social control.

Legal knowledge is fundamentally understood as verified cause-and-effect hypotheses used to predict and control social phenomena, which are then accepted as legal facts. Over time, the accumulation of these facts drives gradual growth (accretion) of legal knowledge, where each new fact becomes a building block of legal science.

Based on ontological assumptions of legal realism emphasizing social facts, the quality of findings in legal research—whether from legal philosophy, natural law, or legal positivism—is evaluated based on four criteria:

1. Internal validity, namely how consistent findings are with observed reality;
2. External validity, namely the extent to which findings can be generalized;
3. Reliability, namely consistency and stability of findings; and
4. Objectivity.

In this perspective, researchers and legal instruments are positioned as neutral entities separate from society. With privileged distance, researchers act as objective observers free from value influence (value-free). Consequently, technical-quantitative approaches focusing on substantive theory become the primary standard in research and training.

Thus, legal philosophy, legal theology, natural law, and legal positivism all fall within the positivist paradigm.

Post-Positivism Paradigm

Legal realism shifts the focus from codified statutes to judicial practice—law as it is made by judges. This school views law as judge-made law that is pragmatic in nature, where law is manifested through judicial decisions (*ius constitutum in concreto*).

In general, law appears concretely in court decisions through judicial processes. Schools based on normative-behavioral approaches place judicial positive norms as the primary foundation. Law can thus be understood as the product of judges' deep reasoning, substantially aligned with the concept of judicial discretion.

The next group consists of sociological schools—legal structuralism, functionalism, and sociology of law—which are closely related to legal realism. These schools do not limit law to texts but view it as law as it is in society, living and operating in social behavioral patterns. Law is understood as a real institution that restores order and shapes behavior. Its functions include both repressive (restoring order and resolving disputes) and preventive (shaping behavior through social engineering) roles. This understanding places these schools within the empirical-normological domain.

It can be concluded that legal realist schools—including legal realism, behavioralism, and sociology of law—are based on critical realism ontology. They view law as real external facts, but acknowledge that human understanding is always incomplete. Epistemologically, they retain objectivist positivist traits, but shift attention from textual law to field facts, reducing distance between law and its subjects.

The methodology of this approach remains experimental-manipulative but is modified. Empirical testing is conducted through falsification using critical multiplism or triangulation, while integrating qualitative techniques such as natural settings, situational information, and ethnographic approaches.

Legal empirical research within behavioralism, structuralism, functionalism, and law and society aims to analyze law's effectiveness as a tool of control and social behavior prediction. These schools view legal knowledge as cause-and-effect hypotheses for predicting social phenomena. Unlike positivism, which relies on verification, these approaches rely on falsification—hypotheses that survive falsification efforts. Once generalized, these facts form legal knowledge that grows cumulatively.

Unlike positivism, which is based on naïve realism, the quality of findings in legal realism, behavioralism, structuralism, functionalism, and sociology of law is measured by how effectively law operates in practice, based on four criteria:

1. Internal validity ensuring alignment with field reality;
2. External validity or generalizability;
3. Reliability; and
4. Objectivity.

Consistent with this explanation, scholars in these schools tend to adopt a neutral stance toward society. Protected by their privileged position, they remain impartial and maintain distance from society, which is treated merely as an object. As a result, law is viewed as value-free, and research follows technical-quantitative approaches supported by qualitative and substantive theories.

With these characteristics, legal realism, behavioralism, structuralism, functionalism, structure-functionalism, law and society, and sociology of law can be classified under the post-positivist paradigm.

Critical Theory Paradigm (Critical Legal Theory et al.)

Critical legal theory, critical legal studies, and feminist jurisprudence understand law as law as historically or virtually understood, positioning it as false consciousness—a reality that is incorrectly perceived by society.

For these schools, law is not neutral. It is a historical structure formed through crystallized political, gender, cultural, and other power values. Law often functions as an instrument of domination and oppression. Consequently, law must be continuously criticized and revised to achieve true emancipatory justice.

Although rooted in realism, this group adopts historical realism, viewing law as a virtual reality shaped by social, political, cultural, economic, ethnic, and gender factors. Its epistemology is transactional-subjectivist, emphasizing that law-making and enforcement are always mediated by subjective values of involved actors.

Critical legal theory highlights the blurred boundary between ontology and epistemology. Law is not rigid but formed through dialogical dialectics. Lawmakers, enforcers, and society engage in discourse that transforms ignorance into critical awareness to dismantle inequality.

In responding to social issues, CLS and feminist schools do not hesitate to adopt confrontation to challenge discriminatory legal structures. Their main goal is to restructure social, economic, and political systems of exploitation to achieve emancipation and justice.

Legal knowledge in critical and feminist perspectives is not static doctrine but continuously evolving historical understanding. It develops through dialectics that consistently dismantle ignorance and produce more substantive legal understanding.

In Critical Legal Theory and Feminist Jurisprudence, law is never neutral and must be evaluated within its socio-historical context—economic, ethnic, and gender dimensions. The quality of law is measured not by formality but by its ability to generate social change, eliminate ignorance, and transform oppressive structures.

Therefore, this legal approach inherently carries a value-laden mission of moral enlightenment. Legal practitioners and researchers function simultaneously as agents of change, transformative intellectuals, and advocacy activists. Supporting this requires training in resocialization, mixed methodologies, history, altruism, and empowerment.

Progressive Paradigm

After examining positivism, post-positivism, and critical theory, Satjipto Rahardjo's Progressive Law can now be positioned within the Guba and Lincoln framework. This paradigm is unique because it combines social meaning construction (constructivism) with transformation (critical theory), deeply rooted in legal sociology.

The Progressive Paradigm views law not as rigid final rules but as a continuously evolving process (law in the making) that is humanistic. Law serves humans; it is valid only if it brings happiness. Therefore, legal texts must be deconstructed or even rejected if they cause suffering.

This paradigm positions the researcher as a participatory subject close to the object—society. By eliminating the distance between legal actors and substantive truth, legal knowledge is produced through the integration of rationality and conscience to achieve true justice.

Progressive legal methodology is oriented toward liberation and progressivity through rule-breaking techniques. If positivism emphasizes verification and post-positivism emphasizes falsification, progressive law emphasizes solution-oriented creation. Its approach is holistic, qualitative, and multidisciplinary, allowing it to go beyond procedural limits to achieve substantive justice.

Progressive law is not merely an instrument of order. It is a moral compass driven to humanize humans and find substantive solutions to legal deadlocks for societal happiness. Law is a living entity that evolves through action, not static textual theory.

Legal understanding does not come from an ivory tower but from courageous discourse and breakthroughs that bring real justice. Legal quality is not measured by procedural obedience but by how far law frees people from injustice and provides real benefits.

Progressive law explicitly rejects neutrality. It consciously sides with truth, honesty, and the oppressed. Its ethical foundation is compassion (ethics of care) based on moral responsibility. Legal practitioners must act as agents of change, not robotic rule-followers.

Law enforcement requires spiritual intelligence and deep sociological awareness, prioritizing conscience over technical procedural expertise. Progressive law cannot be equated with positivism because their foundations are fundamentally different: positivism emphasizes certainty of rules, while progressivism emphasizes human needs.

Paradigmatic Mapping of Legal Research

The above paradigm mapping is comprehensive and meets doctoral-level academic standards, particularly in synthesizing Guba & Lincoln's framework with Satjipto Rahardjo's ideas. The comparative matrix is as follows:

Tabel 1. Philosophical Foundations (Basic Beliefs)

Element	Positivism & Post-Positivism	Critical Theory	Progressive Law
Ontology	Naive/Critical Realism (law as objective entity)	Historical Realism (law as power instrument)	Organic/Process Realism (law as living being serving humans)
Epistemology	Dualist/Objectivist (researcher is	Transactional/Subjecti	Transactional-Spiritual

	distant/value-free)	vist (values mediate findings)	(integration of intellect and conscience)
Methodology	Experimental/Verification/Falsification	Dialogical/Dialectical (structural transformation)	Rule-breaking/Solution-oriented (substantive justice breakthroughs)

In doctoral research, Progressive Law is applied as a new paradigm asserting that law is for humans, not the other way around. Research success shifts from formal accuracy to humanity, measured through:

1. Substantive usefulness—the ability to address real justice needs, not merely procedural justice;
2. Catalytic authenticity—success in encouraging legal actors to act progressively.

Unlike Guba and Lincoln’s paradigm, which positions the researcher as an expert or facilitator, Progressive Law dissertations require the researcher to act as an Orchestrator of Justice. The researcher does not merely observe legal reality but is emotionally and spiritually present to deconstruct legal deadlocks in pursuit of substantive justice.

The novelty of this dissertation lies in repositioning Progressive Law as a theoretical synthesis of constructivism and critical theory centered on humanistic axiology. Unlike Critical Legal Studies (CLS), which often remains at ideological deconstruction, Progressive Law goes further through constructive reconstruction, making conscience the epistemological compass of legal reasoning.

CONCLUSION

This study demonstrates that positivism, post-positivism, and progressive legal thought constitute integral components within the broader spectrum of legal philosophy. Each paradigm can be systematically analyzed through a paradigmatic framework that incorporates ontological, epistemological, and axiological dimensions of legal thought.

Through a comparative paradigmatic analysis, it becomes evident that each legal tradition is grounded in distinct philosophical assumptions that shape its understanding of law and legal inquiry. Positivism emphasizes legal certainty, formal validity, and objectivity; post-positivism introduces epistemological reflexivity and methodological pluralism by acknowledging the limitations of human knowledge; while progressive legal thought advances a human-centered orientation that prioritizes substantive justice, moral responsibility, and social transformation.

The comparison among these paradigms further reveals that legal thought is not monolithic but inherently plural, dynamic, and context-dependent. Each paradigm offers a different lens through which law can be understood, ranging from rule-based formalism to critical and transformative approaches that emphasize social justice and human welfare.

In conclusion, the paradigmatic shift from a legalistic-positivist framework toward post-positivist and progressive-critical approaches reflects a broader transformation in legal scholarship. This shift signifies a movement away from a narrow focus on normative certainty toward a more holistic understanding of law as a social institution that must respond to human needs, social realities, and the demands of justice. Ultimately, such a transformation reinforces the role of law not merely as a system of rules, but as an instrument for advancing human dignity and social change.

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