

CONTEXTUALIZATION OF PROGRESSIVE LAW IN DESIGNING HYBRID LEGAL COUNSELING METHODS AS AN EFFORT TO BUILD PUBLIC LEGAL AWARENESS

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Abstract

Conservatism, combined with a positivist view of the law, causes the law to become rigid and merely an artificial construct. Legal actors, who should be reformist agents of change, now focus solely on rules. The implications of this static application of the law by legal actors, particularly in relation to legal counselling methods, hinder legal counselling programs aimed at building public legal awareness. Based on this, it is necessary to find a legal counselling method that is more relevant to current times—one that aligns with public aspirations, is creative, innovative, and can be effectively implemented in the community. The problem formulation in this study is how to contextualize progressive law in designing a hybrid legal counselling method as an effort to build public legal awareness. The purpose of this study is to explore and contextualize progressive law in designing such a method. This study employs an empirical legal research method with a sociological-juridical approach. The research was conducted in West Kalimantan Province, focusing on Bengkayang Regency and Landak Regency. The conclusions of this study were drawn deductively. This study concludes that the contextualization of progressive law within the hybrid legal counselling method in West Kalimantan must be based on legal awareness and the needs of the community. This method aims to liberate society from conservative rules. Additionally, the effectiveness of this method is highly dependent on the ability of legal counsellors to continuously innovate and progress while upholding legal ethics.

Keywords: Community-Centered Law, Hybrid Legal Counseling, Legal Counseling Patterns, Legal Innovation, Progressive Law

A. INTRODUCTION

In every community, there are always issues that arise from the gap between the ideal and the actual, between the standard and the practical, and between what should or is expected to be done and what is actually done. The standards and values in each community vary in determining what constitutes appropriate behaviour. Based on these differences, the law serves as a standard used by society to regulate the lives of individuals within each distinct group.

Today, law, particularly in Indonesia, is understood by society as a set of standard norms—norms that, in practice, encourage people to act in accordance with applicable legal provisions. This standard norm can be seen as formal law, which, in Max Weber's view, is a system based solely on logic or rationality, without consideration of external factors.¹ Referring to the opinions of Rudolf von Jhering and Georg Jellinek, the law is viewed as merely a tool to achieve a specific goal, showing that law relies on coercion, with the right to coerce being an absolute monopoly of the state.² Based on the views of several experts, it can be concluded that law serves as a tool for the state to regulate society by establishing legal rules that must be obeyed.

Understanding the law solely as a set of standard norms and as a tool of the state to create order in society is insufficient. Legal awareness is a key factor in the successful implementation of law within society. Legal awareness refers to the internal attitude of individuals who understand, believe in, and voluntarily obey the law without coercion.³ When public legal awareness is high, the law becomes not only a tool of control but also a guideline for life, embraced by each individual.⁴ In other words, the law will be more effective if people not only understand the rules but also comprehend the reasons behind them and feel a sense of responsibility to obey them. Additionally, fostering a culture of legal awareness and citizen engagement will further enhance compliance as individuals recognize the importance of their role in upholding the rule of law and contributing to a just and orderly society.

In Indonesia, to foster public legal awareness, a legal regulation was issued: the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M.01-Pr.08.10 of 2006 concerning the Pattern of Legal Counseling. This regulation aims to enhance public legal awareness

¹ Yufan Sun., Recontextualizing Max Weber's Ideal Type: Lessons from Idealization in the Philosophy of Natural Science and Economics, *Innovation in the Social Sciences*, Vol.2, no. 2, 2024, page. 194-234.

² Piotr Szymaniec., Criticism of Rudolf von Jhering? s concepts in Leon Petrażycki? 's philosophy of law. Remarks on the reception of Jhering? s work in the Polish legal thought in the second half of the nineteenth and the early twentieth centuries, *Transformacje Prawa Prywatnego*, Vol.4, no.4, 2017, page. 61-75.

³ Ayu Sekar Saraswati Putri., Pentingnya Kesadaran Hukum pada Lingkungan Masyarakat, *De Cive: Jurnal Penelitian Pendidikan Pancasila dan Kewarganegaraan*, Vol.2, no. 12, 2022, page. 457-465.

⁴ Dian Latifiani., Human Attitude and Technology: Analyzing a Legal Culture on Electronic Court System in Indonesia (Case of Religious Court), *Journal of Indonesian Legal Studies*, Vol.6, no. 1, 2021, page. 157-184.

so that every citizen understands and internalizes their rights and obligations and develops a legal culture characterized by attitudes and behaviours that are conscious of, obedient to, and compliant with the law while respecting human rights.⁵ The establishment of regulations related to legal counselling patterns is intended to promote a legal culture at all levels of society, thereby creating legal awareness and compliance to uphold the rule of law in the Unitary State of the Republic of Indonesia. To achieve this, it is essential to conduct legal counseling on a national scale.

Based on the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M.01-Pr.08.10 of 2006 concerning Legal Counseling Patterns, which was later amended by the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M.01-Pr.08.10 of 2007, the legal counselling method is limited to two options: direct legal counseling and indirect legal counselling. These limited methods are now considered outdated. This was evident from interviews and questionnaires conducted on August 3, 2024, and August 26, 2024, regarding the legal counselling methods preferred by respondents from Bengkayang Regency and Landak Regency, where the majority favoured a hybrid legal counselling method that combines both approaches.

Based on data obtained from respondents in Bengkayang Regency and Landak Regency regarding the need for a new or hybrid legal counselling pattern, the law should be present not merely as logic and rationality or as a tool to restrain human behaviour but as a response to human aspirations. In this sense, the law exists for humans, not humans for the law, which is in line with Satjipto Rahardjo's concept of progressive law.⁶ The connection between progressive law and hybrid legal counselling methods, which are not yet regulated by legal provisions, represents an innovative and adaptive strategy to increase public legal awareness, particularly in West Kalimantan.

Considering the urgent need for legal reform that is responsive to the social dynamics in Bengkayang Regency and Landak Regency, the ideals of law should not only be realized in written form. Still, they must also be embedded and evolve within society. The law should reflect a genuine sense of justice and be adaptable to the actual needs of the community.⁷ In this context, a progressive legal approach, which emphasizes efforts to liberate society from the constraints of conservative regulations, becomes increasingly relevant and necessary.

In West Kalimantan, with its significant socio-cultural diversity, the community's legal awareness remains at varying levels. The existing formal legal system is often perceived as rigid and difficult for the general public to comprehend, rendering traditional legal counselling methods ineffective in addressing the root causes of issues. Therefore, an innovative and adaptive approach is required to educate the community about the law. The hybrid

⁵ Yenny Aman Serah, Rini Setiawati, and Resmaya Agnesia Mutiara Sirait., Strategy for Increasing Legal Awareness Village Achievements Through Involvement of the Role of the Driving Team Empowering Village Family Welfare, *De Lega Lata: Jurnal Ilmu Hukum*, Vol.9, no. 1, 2024, page. 1-9.

⁶ Satjipto Rahardjo, *Penegakan Hukum Progresif*, Jakarta, Kompas, 2010.

⁷ Agustinus Astono., Penerapan Jaringan Sensor Untuk Meminimalisir Kriminalitas Di Kabupaten Kubu Raya: Perspektif Hukum Pidana, *Justitia et Pax*, Vol.40, no. 1, 2024, page. 63-82.

legal counselling method, which combines a direct (face-to-face) approach with digital media, offers a solution that can reach a broader audience while allowing for more flexible and relevant interactions suited to the conditions of the communities in Bengkayang Regency and Landak Regency. By incorporating progressive legal contextualization in the design of this method, it is expected not only to provide adequate legal information but also to foster legal awareness that aligns with the needs, values, and sense of justice of the communities in these regions.

Based on the introduction, the title of this study is Contextualization of Progressive Law in Designing Hybrid Legal Counseling Methods as an Effort to Build Public Legal Awareness. The problem addressed in this study is how to contextualize progressive law in designing hybrid legal counselling methods to enhance public legal awareness. The purpose of this study is to explore and contextualize progressive law in the development of hybrid legal counselling methods aimed at building public legal awareness. The theoretical benefits of this study are anticipated to provide significant contributions to the development of legal science, particularly concerning the concept of progressive law in enhancing legal awareness in Landak Regency and Bengkayang Regency. Furthermore, it is hoped that the results of this study will enrich the references and literature available in libraries regarding legal counselling methods in Indonesia.

The practical benefits of this study are expected to offer solutions to the issues examined, particularly in relation to the concept of progressive law in designing hybrid legal counselling methods in accordance with the Regulation of the Minister of Law and Human Rights Number M.01-Pr.08.10 of 2006 concerning Legal Counseling Patterns. Additionally, this study aims to enhance public legal awareness in response to the Legally Aware Village/Sub-district program in both Landak Regency and Bengkayang Regency.

Based on the relevant literature reviewed in this study, and to compare the differences between this research and other studies on the same topic, several sources were selected that are deemed appropriate for this analysis. First, a study conducted by Nur Hikmah,⁸ demonstrates a similarity in the utilization of direct legal counselling methods to enhance the culture of legal awareness within the community. However, the distinction of this study lies in its object of inquiry; specifically, the research by Nur Hikmah does not incorporate innovative strategies related to more strategic legal counselling methods. Second, a study by Ramadhan et al.,⁹ shares the similarity of employing direct legal counseling methods to cultivate legal awareness among the community. The difference in this study is its focal point, which centres on developing new concepts or methods that are not yet present in the

⁸ Nur Hikmah., Strategi Penyuluhan Hukum Mendukung Peningkatan Kesadaran Hukum Masyarakat di Kabupaten Paser Kota Tanah Grogot, *De Cive: Jurnal Penelitian Pendidikan Pancasila dan Kewarganegaraan*, Vol.3, no. 11, 2023, page. 390-397.

⁹ M. Suarga Nabil Akbar Ramadhan, Syabrina Az-Jahra, Nurul Hidayah, Karina Yunitasari, Berlin Anugie Vitara, Norparidah Norparidah, Aprillia Amanda, Igund Farhan Sahrir, and Nur Arifudin., Penyuluhan Hukum untuk Meningkatkan Kesadaran Hukum Sejak Dini terhadap Masyarakat di Desa Embalut, *Indonesian Journal of Law and Justice*, Vol.2, no. 1, 2024, page. 8-8.

implementation of legal counselling. Third, the study conducted by Habibi,¹⁰ similarly employs new methods or concepts in legal counselling activities. The distinction here is that this study is grounded in the philosophical foundation of progressive law, as opposed to the religious concept utilized by Habibi. Based on the analysis of these literature sources, this study introduces a novelty in the application of the Progressive Legal Concept in the design of legal counselling methods.

B. METHODS

The legal research method in this study is empirical legal research, utilizing a sociological, legal research approach, also known as sociological-juridical research. This study views law as an empirical phenomenon observable in everyday life. A prescriptive method with a qualitative approach is employed to analyze the results.¹¹ The prescriptive analysis method aims to provide an assessment or prescription regarding the rightness or wrongness of a legal event based on the study's findings. This approach produces analytical descriptive data from the oral, written, or real behavioural responses of respondents, with an emphasis on data quality. Only relevant and high-quality data are used to achieve a deep understanding of the legal truths revealed in the research results.¹² The data sources consist of primary and secondary data. Primary data includes facts and legal cases obtained directly from field research, including information from respondents related to the research object and relevant real practices. Secondary data are obtained through literature studies. The research was conducted in West Kalimantan Province, focusing on the areas of Bengkayang Regency and Landak Regency. Data collection techniques were carried out in two ways: the Random Sampling technique, which targeted the community in Bengkayang and Landak Regencies, and the Non-Random Sampling technique, which involved two middle extension workers from the Regional Office of the Ministry of Law and Human Rights of West Kalimantan. The conclusions of this study were drawn deductively, moving from general principles to the specific problems encountered.¹³

C. RESULTS AND DISCUSSION

1. Progressive Law as a Tool for Legal Innovation

According to Satjipto Rahardjo¹⁴, progressive law demands freedom from the shackles of tradition, aligning with Roscoe Pound's view that law

¹⁰ Habibi, I. Nyoman Suarna, I. Gusti Ayu Agung Andriani, I. Nyoman Sumantri, Susilo Edi Purwanto, Ni Wayan Sridiani, and I. Ketut Nuasa., Penyuluhan Hukum Dengan Pendekatan Tri Hita Karana, *Dharma Sevanam: Jurnal Pengabdian Masyarakat*, Vol.1, no. 2, 2022, page. 176-183.

¹¹ William Thomas Worster., The Inductive and Deductive Methods in Customary International Law Analysis: Traditional and Modern Approaches, *Georgetown Journal of International Law*, Vol.45, no. 2, 2014, page. 21-33.

¹² Achmad Irwan Hamzani, Tiyas Vika Widyastuti, Nur Khasanah, and Mohd Hazmi Mohd Rusli., Legal Research Method: Theoretical and Implementative Review, *International Journal of Membrane Science and Technology*, Vol.10, no. 2, 2023, page. 3610-3619.

¹³ Luca Siliquini-Cinelli., What is legal reasoning?, *International Journal for the Semiotics of Law- Revue internationale de Sémiotique juridique*, Vol.6, no. 3, 2024, page. 1-20.

¹⁴ Satjipto Rahardjo, *Penegakan Hukum Progresif*, Jakarta, Kompas, 2010.

functions as a tool of social engineering meant to advance society.¹⁵ Progressive law emphasizes achieving goals and understanding contexts rather than merely adhering to the text of the rules,¹⁶ thus giving discretion an important role in the implementation of the law.

Law is not a final doctrine; it continues to evolve with the demands of the times.¹⁷ The fundamental philosophy of progressive law is that law serves as a tool aimed at guiding humans toward a just, prosperous, and happy life.¹⁸ Progressive law is based on the assumption that laws are created to serve humans, not the other way around. This means that the creation of law is not for the sake of the law itself but for the dignity and honour of humanity.¹⁹ This perspective emphasizes the importance of integrity among law enforcement officers or enforcers, who must be trustworthy, build confidence, and encourage creativity in interpreting limited rules.²⁰

The quality of law is determined by its ability to serve human welfare. In this regard, progressive law adheres to a legal ideology that prioritizes justice and the needs of the people. Within this framework, the dedication of legal actors is crucial for driving improvements.²¹ Legal actors are expected to uphold honesty and integrity while carrying out their duties. They must also possess empathy and concern for the suffering experienced by the community. The interests of the people, including their welfare and happiness, should be the central orientation and ultimate goal in the implementation of the law.²²

Within this framework, legal revitalization is carried out continuously. For progressive law, change is no longer focused on the rules themselves but rather on the creativity of legal actors in actualizing the law according to its various dimensions.²³ Progressive legal actors can initiate changes by providing creative interpretations of existing regulations without waiting for

¹⁵ Aldo Ravellio Muljadi., Analysis of The Effect of Legal Sociology with Law Located in Society, *International Journal Of Research-Granthaalayah*, Vol.7, no. 5, 2020, page. 138-45.

¹⁶ Kathryn E Kovacs., Progressive Textualism in Administrative Law, *Michigan Law Review Online*, Vol.118, no. 1, 2019, page. 134-149.

¹⁷ Erlan Wijatmoko, Armaid Armawi, and Teuku Faisal Fathani., Legal effectiveness in promoting development policies: A case study of North Aceh Indonesia, *Heliyon*, Vol.9, no. 11, 2023, page. 51-59.

¹⁸ Rizal Mustansyir., Landasan filosofis mazhab hukum progresif: Tinjauan filsafat ilmu, *Jurnal Filsafat*, Vol.18, no. 1, 2008, page. 15-25.

¹⁹ Chandra Halim and Vincentius Patria Setyawan., The Importance of Law Enforcement Based on Progressive Law in Realizing Community Welfare, *UNES Law Review*, Vol.6, no. 3, 2024, page. 9270-9274.

²⁰ Siti Romlah, Salma Zavira, and Khansa Muafa., Implementation of progressive legal theory in law enforcement in Indonesia, *Journal La Sociale*, Vol.1, no. 6, 2020, page. 24-30.

²¹ Trino Baptista, Sonia Tucci, and Félix Angeles., Justice and law in the thought of Arthur Schopenhauer (1788–1860), *Forensic Science International: Mind and Law*, Vol.2, no.5, 2021, page. 100065.

²² Rike Sinder., An Islamic Notion of Natural Law: On Teleological Natural Law Thinking in *uṣūl al-fiqh*, *Oxford Journal of Law and Religion*, Vol.10, no. 3, 2021, page. 418-440.

²³ Syinta Amelia., Progressive Legal Approach to Modern Community Law Enforcement in Indonesia, *Pancasila and Law Review*, Vol.4, no. 1, 2023, page. 1-14.

changes to the rules.²⁴ Less-than-ideal regulations should not hinder legal actors from realizing justice for the community; they are expected to interpret existing regulations or those that are no longer relevant to the times.²⁵

2. The Concept of Hybrid Legal Counseling as a Paradigm of Action

Regarding the method of legal counselling in Indonesia, certain regulations and articles have become outdated and no longer correlate with contemporary needs. This issue is evident in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number: M.01-Pr.08.10 of 2007, which pertains to the amendments of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number: M.01-Pr.08.10 of 2006 concerning the Pattern of Legal Counseling. To enhance public legal awareness and uphold the supremacy of law in Indonesia, regulations governing the pattern of legal counselling were established. However, in its development from 2006 to the present, the methods employed in conducting legal counselling have been limited to two approaches: direct legal counselling and indirect legal counselling.

Indirect legal counselling is a method of providing legal understanding delivered through mass media, both electronic and print, such as television, radio, the internet, newspapers, and magazines.²⁶ This method allows legal information to reach a wider audience without requiring direct interaction between the source and the recipient of the information while still effectively disseminating legal knowledge comprehensively. Meanwhile, the direct legal counselling method involves providing a legal understanding through face-to-face interaction between the counsellor and the recipient of counselling. In this method, the counsellor provides legal explanations and information directly, allowing for discussion, questions and answers, and clarification, thus enabling a deep and precise understanding for the party receiving the counselling.²⁷ The weaknesses of the two legal counselling methods are as follows: the indirect legal counselling method lacks interaction and opportunities for clarification, which may result in a less comprehensive understanding of legal knowledge. In contrast, the direct legal counselling method is limited in its reach, as it can only engage audiences who are physically present.

The increasingly progressive nature of the era has ultimately led to changes in the method of legal counselling in society. This shift can be observed in the data obtained from respondents in Bengkayang Regency and

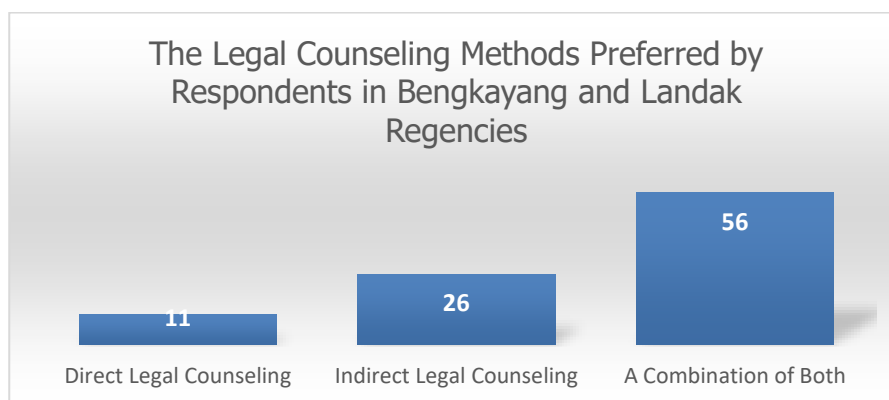
²⁴ Mukhamad Luthfan Setiaji and Aminullah Ibrahim., *Kajian Hak Asasi Manusia dalam Negara the Rule of Law: Antara Hukum Progresif dan Hukum Positif*, *Lex Scientia Law Review*, Vol.2, no. 2, 2018, page. 123-138.

²⁵ Ismawati Septiningsih., *The Relevance of Progressive Law to Legal Reasoning in Indonesia*, *LAW&PASS: International Journal of Law, Public Administration and Social Studies*, Vol.1, no. 2, 2024, page. 162-167.

²⁶ Lina Jamilah and Arif Firmansyah., *Preliminary Concept of Alternative Agrarian Reform for Justice: The Social Tenure Domain Model (STDM) Approach to Constructing a Just Society in Indonesia*, *Jurnal Hukum*, Vol.39, no. 2, 2023, 174-191.

²⁷ Munsharif Abdul Chalim., *Harmonization of the National and International Law on the Usage Settings of Natural Resources in the Territory of the Republic of Indonesia*, *Jurnal Pembaharuan Hukum*, Vol.4, no. 2, 2017, page. 191-200.

Landak Regency, West Kalimantan Province. The majority of respondents preferred innovations related to the legal counseling method, specifically a combination of the two approaches or a hybrid method.



Innovation related to the hybrid legal counselling method represents an effective and efficient solution to meet the needs of society in the current technological era. The hybrid legal counselling method is a conceptual integration of both direct and indirect legal counselling approaches. In practice, this method allows legal counselors to provide legal knowledge and information to the public both directly and indirectly, thereby reaching a broader audience. For instance, legal counsellors can conduct live broadcasts of their counselling sessions, enabling interaction between physical and virtual audiences. Furthermore, the use of technology facilitates discussions and allows for the assessment of public understanding regarding the legal counselling material that has been presented. Technological tools that can be used by counsellors to enhance public knowledge include question-and-answer website applications such as Arviana,²⁸ which can also be combined with various educational games like the Anti-Sexual Violence Game. This aligns with the opinion expressed by Hazilina and Alkadri,²⁹ during an interview conducted on September 25, 2024, at the Regional Office of the Ministry of Law and Human Rights of West Kalimantan. She stated that an interactive legal counselling method is needed, one that is combined with technology and an integrative database, so that it not only facilitates the work of legal counsellors but also makes it easier for the public to understand legal information.

Furthermore, based on the results of an interview with Mrs. Sri Ayu Septinawati, S.H., M.H., a Middle Counselor, conducted on September 25, 2024, at the Regional Office of the Ministry of Law and Human Rights of West Kalimantan, she expressed the opinion that it is important to innovate the

²⁸ Roswita Nerrisa Arviana., Perancangan Edu-Game Anti Kekerasan Seksual Menggunakan Metode Digital Game Based Learning-Instructional Design (DGBL-ID), *Jurnal Sains dan Seni ITS* 12, Vol.5, no. 1, 2023, page. 7-14. See also, Agus Irawan Yustisianto, Sri Endah Wahyuningsih, and Anis Mashdurohatun., Reconstruction of Legal Protection Regulations against Victims of Crime of Household Violence Based on Justice Value, *Scholars International Journal of Law, Crime and Justice*, Vol.5, no. 12, 2022, page. 71-86.

²⁹ Hazilina and Syarifah Putri Agustini Alkadri., The Development of Android Based on Legal Protection System for Women and Children, *International Journal of Law Reconstruction*, Vol.8, no. 1, 2021, page. 129-143.

implementation of legal counselling methods, especially in West Kalimantan Province. This is because the hybrid legal counselling method can serve as a new strategy to increase public interest in learning about legal information in an engaging way, making it more suitable for the younger generation, who will be the successors of the previous generation.³⁰

Based on Roscoe Pound's view of law as a tool of social engineering, the law should function as a system of social arrangement.³¹ The presence of the law serves as a balancer in society; therefore, public interest is a crucial basis for the law to effect social change. Referring to Roscoe Pound's opinion in relation to the hybrid legal counselling method, this method can be interpreted as one of the tools for social change. The rules related to legal counselling methods, which are limited to direct and indirect approaches within the legal counselling framework, can be seen as hindering the legal development process that is necessary for the public interest. In this context, the hybrid legal counseling method, as desired by respondents—especially in Bengkayang Regency and Landak Regency—represents the ideal goal of society in achieving public interest and social change that is more relevant to contemporary times.³²

Progressive law aims to integrate legal frameworks that are relevant to contemporary times.³³ In the context of progressive legal thinking, the primary focus is on legal actors interpreting the law creatively and innovatively.³⁴ When connected to the hybrid legal counselling method, it can be concluded that the key actor in advancing regulations related to the legal counselling framework is the legal counsellor themselves.

Legal counselors, as legal actors in progressive law, are expected to be sensitive to human interests and needs, which are the focal points of the law itself.³⁵ Based on the respondents' opinions regarding their preferred method of legal counselling, which they hope will be more creative and innovative, this should serve as a point of evaluation for legal counsellors to transition from conservative legal counselling methods to more dynamic approaches. In this dynamic context, the legal actors being discussed are the legal

³⁰ Luthfiana Rihadatul'Aisy, Eksa Rusdiyana, Sudibya Sudibya, Dinda Dwi Prasetyani, Dinda Putri Permatasari, Alit Adi Saputra, Muhammad Ezzat Alfauzi, Moh Sayful Zuhri, and Muhamad Najib Shofy., Peningkatan Kesadaran Hukum Masyarakat Desa Serangkat Melalui Edukasi Interaktif Mengenai Bantuan Hukum, *KREATIF: Jurnal Pengabdian Masyarakat Nusantara*, Vol.4, no. 1, 2024, 27-38.

³¹ Sudikno Mertokusumo, *Mengenal Hukum: Suatu Pengantar*, Yogyakarta, Cahaya Atma Pustaka, 2010.

³² Robert Schütze., German Idealism after Kant: Nineteenth-Century Foundations of International Law, *Journal of the History of International Law/Revue d'histoire du droit international*, Vol.25, no. 1, 2022, page. 105-141.

³³ Kiki Tanlim, Surya Nita, and Ahmad Ibrahim Badry Badry., Dynamics of Progressive Law Implementation in Indonesia: Prospects and Challenges of Law in the Era of Industrial Society 4.0, *Pena Justisia: Media Komunikasi dan Kajian Hukum*, Vol.23, no. 1, 2024, pager. 745-757.

³⁴ Khudzaifah Dimiyati., Pemikiran Hukum Progresif: Otentisitas Pemikiran Berbasis Ideologis Ke-Indonesiaan, *Tajdid: Jurnal Pemikiran dan Gerakan Muhammadiyah*, Vol.13, no.1, 2013, page. 89-99.

³⁵ Isnawati, Fatma Hidayati, and Adam Setiawan., Impeachment Pattern of Regional Heads In Indonesia Using Regional Autonomy Paradigm Approach, *Jurnal Pembaharuan Hukum*, Vol.11, no. 2, 2023, page. 381-402.

counsellors, who should refer to teleological ethics as their foundation.³⁶ This teleological framework does not seek to disregard existing laws but rather emphasizes the goals and consequences of continuing to apply outdated methods in legal counselling, the potential future impacts, and the ultimate outcomes of these methods—whether they bring happiness to individuals or create obstacles for others.³⁷

Based on teleological ethics, progressive law encompasses three scopes: the method of law with conscience, the law presented for humanity, and the legal actors who carry out progressive actions.³⁸ The contextualization of these three scopes relates to the methods of legal counselling employed by legal counsellors today. This can be interpreted as follows: first, the method of law with conscience emphasizes that in conducting legal counselling, counsellors should not only adhere to the rules and articles but also align with the sense of justice and the needs of the community.³⁹ As a result, the counselling method should aim to create a sense of comfort and satisfaction for the community, similar to the use of the hybrid legal counselling method, which serves as a reference or innovation for the community.

Second, the law is presented for humans, not the other way around. Based on this principle, it can be interpreted that legal counselling methods considered outdated and ineffective should not be imposed on society. The law does not exist in a vacuum,⁴⁰ it operates when applied in community interactions and utilized by the community itself. Therefore, the legal counselling method must be tailored to the community's context. The method most desired by the community will ultimately be the one that "works" effectively within that community.⁴¹

Third, progressive legal actors are interpreted in this discussion as legal counsellors who engage in progressive actions by innovating in the right space and time, such as utilizing technology as a medium for community brainstorming during legal counselling sessions with the hybrid legal counselling method. Although the concept of the hybrid legal counseling method exists and is incorporated into certain legal provisions, if the legal actors are not progressive, the method will only be seen as existing. Thus, legal counsellors are continuously encouraged to undertake reformist, creative, and innovative actions as key actors in the hybrid legal counselling method.

³⁶ E. Fernando M. Manullang., Penafsiran Teleologis/Sosiologis, Penafsiran Purposive dan Aharon Barak: Suatu Refleksi Kritis, *Veritas et Justitia*, Vol.5, no. 2, 2019, page. 262-285.

³⁷ Hein Van den Berg., Explanation, teleology, and analogy in natural history and comparative anatomy around 1800: Kant and Cuvier, *Studies in History and Philosophy of Science*, Vol.105, no. 4, 2024, page. 109-119.

³⁸ Tim Clark., The Teleological Turn in the Law of International Organisations, *International & Comparative Law Quarterly*, Vol.70, no. 3, 2021, page. 533-567.

³⁹ Hanina Ben-Menahem and Yemima Ben-Menahem., The rule of law: Natural, human, and divine, *Studies in History and Philosophy of Science Part A*, Vol.81, no. 6, 2020, page. 46-54.

⁴⁰ Satria Sukananda., Pendekatan Teori Hukum Progresif dalam Menjawab Permasalahan Kesejangan Hukum (Legal Gaps) di Indonesia, *Jurnal Hukum Ekonomi Syariah*, Vol.1, no. 2, 2018, page. 135-158.

⁴¹ Muhammad Syarifuddin., Legal heuristic approach in judicial practice, *Lex Publica*, Vol.8, no. 2, 2021, page. 1-13.

D. CONCLUSION

The contextualization of progressive law in designing hybrid legal counseling methods aimed at fostering public legal awareness is grounded in a conscientious legal system. In West Kalimantan, the development of hybrid legal counselling must begin by addressing the community's sense of justice and meeting their needs. This approach allows the hybrid legal counselling method to act as a liberator, freeing the legal process from the rigid constraints of conventional rules and purely rational thinking. Legal actors, particularly legal counsellors, play a central role in advancing legal progressiveness. In the context of hybrid legal counselling, they are expected to continuously evolve, adapt, and innovate while adhering to teleological ethics. The effectiveness of this method—whether seen as beneficial or detrimental, static or dynamic—ultimately depends on the commitment and actions of the legal counsellors themselves. Their ability to navigate these methods is key to determining the success of hybrid legal counselling efforts.

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