Methods of Analyzing Judges' Decisions in Normative Legal Research Case-based Approach and Islamic Law

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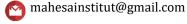
Abstract

This study aims to examine how decision analysis studies should be conducted. In addition to examining the case approach in normative legal research, which is a commonly used approach in decision analysis studies, this study was also conducted to investigate the methods and characteristics of decision analysis. Using qualitative and document research methods, data was collected through focus group discussions and documentation. This study found that decision analysis research is specifically a case-specific study, possibly using philosophical and conceptual approaches simultaneously. The steps of decision analysis research also specifically follow the IRAC (Issue, Rule, Attention, and Conclusion) method. This study is expected to contribute to the development of the discourse on legal research methodology with its various approaches, especially approaches that have been introduced in normative legal research. Practically, this study is expected to guide students to conduct normative legal research with a case approach, especially in decision analysis research. The results of this study are also expected to be a guide for supervisors to guide students who conduct normative legal research with a case approach, especially research on the analysis of judges' decisions.

Keywords: Decision Analysis, Judge's Decision, Case Approach, Normative Legal Research

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INTRODUCTION

In today's academic landscape, there is a burgeoning interest among undergraduate, master's, and doctoral students in undertaking their final projects by scrutinizing judicial decisions. Whether delving into the realm of criminal law, civil law, or decisions handed down by constitutional courts, the analysis of judges' rulings has become a focal point of scholarly inquiry. However, despite the escalating interest, there remains a notable gap in understanding the methodologies involved in dissecting these decisions, particularly among students gearing up for their final project submissions (Stern, 1999).

The complexity inherent in judicial decision-making demands a nuanced approach to analysis, encompassing a range of legal, contextual, and socio-political factors. Yet, many students may find themselves grappling with the intricacies of this process, lacking the necessary guidance or resources to navigate it effectively.

Addressing this gap calls for concerted efforts to enhance students' comprehension of the methodologies employed in analyzing judges' decisions. This includes providing comprehensive guidance on research methodologies, theoretical frameworks, and practical tools tailored to the specific nuances of judicial analysis (Vasileiou et al., 2018).

Moreover, fostering interdisciplinary collaboration and dialogue can enrich students' understanding by drawing upon insights from diverse fields such as law, sociology, political science, and philosophy. By promoting a holistic approach to the study of judicial decisions, educators and institutions can empower students to undertake rigorous and insightful analyses that contribute meaningfully to scholarly discourse (Hair et al., 2019; Jones et al., 2013).

In essence, bridging the gap in understanding the methodology of analyzing judges' decisions is crucial not only for academic advancement but also for fostering a deeper appreciation of the role of the judiciary in shaping legal outcomes and societal dynamics. Through targeted support and interdisciplinary engagement, students can embark on their final projects with confidence, be equipped to navigate the complexities of judicial analysis and make meaningful contributions to legal scholarship (Lyall et al., 2011).

Many references have presented reviews and offers of analysis of judges' decisions. (Masidin, 2023) offer normative legal research on the analysis of judges' decisions in one chapter. However, his offer has not touched on the analytical steps that must be taken by a decision analysis researcher. Dhianta has described the characteristics of normative legal research methodology with a case approach, especially by analyzing judges' decisions (Diantha, 2016). Unfortunately, of course, all of this has not offered a detailed methodological series so that readers, especially students, can understand it quickly and easily. Peter Mahmud Marzuki also explains how to analyze judges' decisions in normative legal research, where the study of analyzing judges', decisions uses more of a case approach. But again, these references do not provide effective steps for conducting legal analysis research of judges' decisions (Marzuki, 2014). Therefore, this study is intended to examine the case approach in normative legal research and to investigate the methods and characteristics of analyzing decisions using the case approach.

This study is poised to make significant contributions to the advancement of legal research methodology, particularly in the realm of normative legal research. Exploring various approaches within this field aims to enrich the discourse on research methodologies, offering insights into innovative techniques and frameworks. Specifically, the study seeks to shed light on the case approach and its application in research analysis models, thereby enhancing understanding and utilization of this methodological approach (Hair et al., 2019).

Practically, the findings of this study hold the potential to serve as a valuable resource for students embarking on normative legal research projects, particularly those focusing on decision analysis. By providing guidance and insights into the intricacies of conducting research using a case approach, the study aims to empower students with the necessary tools and knowledge to undertake rigorous and insightful investigations (Hamilton & Corbett-Whittier, 2012; Rashid et al., 2019). Furthermore, the results of this study are expected to offer guidance to supervisors and mentors tasked with supporting students in their research endeavors. By offering a comprehensive understanding of normative legal research methodologies, particularly in the context of analyzing judges' decisions, supervisors can effectively mentor students and facilitate their academic growth and development.

In essence, this study not only contributes to the theoretical discourse on legal research methodology but also has practical implications for students, supervisors, and researchers engaged in normative legal research. By fostering a deeper understanding of research techniques and methodologies, it seeks to elevate the quality and rigor of scholarly inquiry in the field of law.

RESEARCH METHODS

This research is a qualitative study that relies on library research. This research discusses how a method or approach is used in a study. The methods and approaches used in decision analysis research are interesting topics to be studied conceptually and methodologically.

Research data sources are documents and library materials. The data used in this research are data sources that include primary literature, secondary literature, and tertiary literature: 1. Primary library materials are "primary library materials, namely library materials that directly contain the main data from the topic under study (Soekanto & Mamudji, 2013). Primary literature materials in this research consist of methodology books that contain materials about the methods and approaches that are the subject of the study. In addition, materials that become primary literature materials are also the results of research related to the analysis of decisions or minutes in the research of judges' decisions."

Secondary library materials are library materials consisting of textbooks written by scholars such as reference books, research results, and the results of recent symposia related to the research topic.

Tertiary library materials are legal materials that provide guidance or explanation of primary and secondary library materials such as legal dictionaries, encyclopedias, and others.

In this research, the data collection tools used included desk research. Interviews were conducted where necessary and were conducted orally. The research questions asked in the search for data were how the methods and approaches used in analyzing decisions by the reviewers and how the analysis of decisions should be carried out. The results of the interviews with the judges were used to complete the discussion of this research.

The data collection method of this research is using the documentation data research method. Data sources that provide data will be explored by collecting data by the theme and processed based on the patterns required by the theme to answer the research questions intended in the problem formulation. In addition to inventory, data collection is carried out through library research (literature study), by examining literature books to obtain a theoretical basis in the form of theories and opinions of experts. The data analysis technique used in this research is content analysis with descriptive presentation.

RESULTS AND DISCUSSION

We know that one of the approaches in normative legal research is the case approach. The case approach in normative legal research is not the same as the case approach in social science research, which focuses on specific cases and develops in society.

The case approach in normative research has the aim of studying the application of legal norms or rules carried out in legal practice. This type of approach is usually used regarding cases that have received a decision. However, the case approach is also used in empirical research (Yin, 1997).
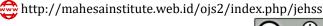
In other words, cases decided in normative research are cases in the form of legal cases that have already received a decision. Thus, cases that are legal cases and have been decided can at least be divided into two (1) cases decided by the court and (2) cases decided outside the court.

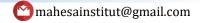**1. Type and Research Used in the Decision Analysis**

This research analysis of the judge's decision is included in the Normative legal research category. This type of research is more about exploring library data or library research. The approach used in decision analysis research is a case approach. It does not rule out the possibility of using other approaches such as a conceptual approach or a statutory approach.

2. Data Sources Used in the Decision Analysis

In research analyzing the judge's decision, the data source used is the source of legal material. Data sources used are sources of legal materials consisting of three; namely primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include

formal records of laws, regulations, statutory provisions, and judges' decisions or minutes of meetings. Secondary legal materials include all legal publications that are not official documents. Publications about the law can be in the form of textbooks, legal dictionaries, legal journals, and reviews of court decisions (Marzuki, 2014). Tertiary legal materials are legal materials that provide guidance or explanation of primary and secondary literature such as legal dictionaries, encyclopedias, and others.

According to Article 1 paragraph 2 of Law Number 10 Year 2004, regulations are written rules made by state institutions or authorized officials and are generally binding. Therefore, from the definition of regulations, what can be used as primary legal material is legislation (Marzuki, 2005: 144). Then, court decisions related to the legal issues at hand are also the main legal material (Marzuki, 2014)

Article 16 of Law Number 4 the Year 2004 on Judicial Power states: "The court shall not refuse to test, try and decide because the law does not exist or the law is unclear but shall test. Try it. "

Meanwhile, Article 28 of the Law states: "Judges are obliged to explore, follow, and understand the legal values and sense of justice that live in society." These two provisions are the basis for judges to conduct rechtsvinding (legal discovery). This rechtsvinding activity is carried out by an institution that is competent to do so, and the results of these activities in the form of court decisions have authoritative value. That is why court decisions can be primary legal material in legal research (Marzuki, 2014).

Secondary legal textbooks include law books including theses, dissertations, legal papers, and legal journals. Then legal dictionaries and comments on court decisions are also secondary legal materials. However, the books and law journals mentioned must be relevant to the material studied. Similarly, the review of court decisions requires the selection of cases that are relevant to the object of study. Books or articles on other issues may be used as references, but they must be relevant to what is being studied (Marzuki, 2014).

Non-legal materials can also be used in legal research. This non-legal material can help in legal research. Included in this non-law material are books on issues outside the field of law, then interviews are also included in non-law material. At the same time, dialogues and seminars, as long as they are legal dialogues and legal seminars, can be secondary legal materials. When it comes to lectures and lectures, they can be called secondary legal materials if they are recorded, and they can also be called secondary legal materials if they are made in the form of slides only because they are written. However, if it is only oral, it is not included in secondary legal materials, but if needed, it can be included as non-law material. Unlike testimony in court which is always carefully recorded even though it is delivered orally. Then the testimony of a legal expert witness who is an expert witness in a court session can become secondary legal material (Marzuki, 2014).

3. Data Collection and Data Analysis Methods Used

The collection method used in the Legal Research Analysis of Judges' Decisions is the documentation method and confirmation through interviews when possible. The documentation method is a method that explores data from documents and library materials. Data analysis uses content analysis and descriptive analysis.

4. Research Steps to Analyse Judges' Decisions

In understanding the content of the decision, I introduced what is called the IRAC method, namely understanding the Issue, Rule, Attention, and Conclusion. The first step is understanding the issues or legal issues in the judge's decision. next is understanding the rules or legal events or cases that occur. The third step is to explore the method of legal discovery used by the judge in the decision. then what conclusions become the judge's paradigm in resolving the decided law? after all this is done, researchers can conclude what relevance and implications there are from family law reform in Indonesia.

In research or study of judges' decisions, the researcher must first find the problem in the case decided by the judge or by the mediator. The researcher then sets out the problem in the formulation of the problem. the thing that must not be left out by the researcher is to read the judge's decision carefully. The researcher must recognize the judge's decision well before he/she conducts an in-depth analysis.

There are several ways to read the decision. According to Wibowo said that "There is a standard format for this decision. Therefore, the spirit of the verdict lies in the part considered by the judge, which is called the "comparative verdict". "The judge has decided as it should be," said Wibowo, Director of the Center for Research and Development of Law and Justice of the Supreme Court (Puslitbang Mahkamah Agung) from 2009 to 2018. Things that need to be considered in reading the judge's decision are as follows:

a. **Read the Verdict**

This is the first thing to know as it is the basis of the decision made by the court. This section is usually short as it contains the decision of whether the case is granted, rejected, or inadmissible. The judgment requested is the result of the legal reasoning made by the judge, which can be found in the legal considerations section. To save time, continue reading the legal reasoning in reverse order of the order of the contents of the verdict, the judge's opinion, and the parties' statements. Later, it is easier to follow the legal reasoning in the judgment.

b. **Check the Judge's Opinion**

Every court decision is usually written after the word "*benumbing*", which includes the judge's consideration of all the testimonies, evidence, and arguments of the parties. Courts sometimes decide to rewrite the entire lawsuit or claim document, including the parties' comments.

The judge's consideration is not always indicated by the word "*menimbang*"; see which part is the judge's opinion. Often, the active voice marks the part of the judge's opinion, designating the Judges as the party who is speaking. For example, you can use the preceding sentence, such as "Considering, that on these grounds the Supreme Court thinks..." or "Considering, that on these exceptions the Judges consider that...".

c. **Examine the Parties' Arguments**

To gain a complete understanding, it is imperative to continue reading the entire judgment. That is completely true. However, reading the conclusion sequentially from the initial part may confuse the reader with a lot of information. Therefore, it would be better if the arguments of both sides were examined last. The reading of the judgment-the bottom part of the judgment is done oppositely. By knowing what the judgment is and the judges' opinions to get there, this method may be more effective. Readers will find it easier to find legal reasoning in the decisions they study.
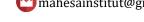
5. **Activities Before Analyzing the Decision**

What to do before a law student/researcher analyzes a judge's decision. A student must read the decision carefully, consider the case, the accuracy of the legal basis, and the way of interpretation, used by the judge, and the appropriateness of the verdict. After knowing, important things related to the judge's decision, a student can create a background problem or determine a research question in a sitting. Furthermore, the formulation of problems, research objectives, theories used, and what methodology will be used can already be systematically designed. All of this can be done if a legal researcher has understood the judge's decision well.

What is done in examining the character of the judge's decision? According to Sidharta, there are four models of discussion. First, analysis of the structure of the facts, that the issues raised are legal events. The analysis includes that the parties involved in the trial of the existing case in the settlement of the case, especially the judge are not wrong in determining the main issue of the legal case he decides.

Furthermore, the second is the analysis of the structure of legal norms, which is used as a legal source. The analysis includes whether the legal sources used are appropriate and suitable. Whether the judge is correct in interpreting the norm or source of law by paying attention to matters relating to the subject, operator, object, and condition of the norm.

Third, the discussion of the legal considerations used by the judge. the analysis includes how the judge uses the judge's conclusion based on his thinking. at least from the description of the considerations in the results of the hearing taken and formed into a conclusion, so that it is known that the judge has made legal discoveries in his legal considerations. in this case, try to recognize if there is a jumping to a conclusion or not. This third analysis should not be ignored so that there is no error in establishing jurisprudence if this determination is jurisprudence. the conclusion of a syllogism is not a rule. But what is called a rule is the major premise of the syllogism. Therefore, the third analysis here can avoid jumping to conclusions so that it is not wrong in applying the rule.

In the third analysis, a researcher can find a discovery of law. The judge can identify this by performing an "intermediate syllogism", i.e. withdrawing from the parallel element-by-element syllogism, creating his syllogism to give new meaning to an element, before returning to the parallel syllogism. The example given by (Shidarta, 2006) is quite clear.

"For example, a judge is considering whether a person's unilateral act of taking electricity from a roadside pole to run to his stall is a violation of Article 362 of the Criminal Code. One of the elements of Article 362 is "goods". The question is whether the electricity is goods as referred to in Article 362 of the Criminal Code. When the case first came before the court, this question could not be answered immediately, unless the judge had to withdraw first by making an "intermediate syllogism". He must create a new, unprecedented definition of goods under Article 362. This definition can essentially expand or narrow the meaning of goods as it has been known so far. Legal discoveries that have added value to legal science are generally definitions that expand. We call this an expansive interpretation." (Shidarta, 2006).

The main proposition contained in the "intermediate syllogism" is the source of law. in determining this major premise, the judge's creativity is needed, supported by various references. In this section, we can determine the type of legal discovery, namely interpretation or construction, and what the name of the interpretation and construction is, which is then associated with the thinking used by the judge to make a decision. For example, in Article 362, goods that have economic value and can be distributed according to the judge's judgment are referred to as the goods in question. The type of law-finding method, the name of the interpretation or construction, and the school of law practiced by the judge can be the basis of the considerations made by the judge.

In addition, the legal syllogisms made by the judges are interesting to study. We believe that each judge understood the norm element of the article formulation used. Although the text and number of the article are taken from it, the meaning of the element is not. For example, the meaning of the element is explained in Article 1 of the relevant law, the chapter on general provisions. However, judges do not usually quote from this definition; they often draw from other sources, such as doctrine. In a concrete example, a judge finds that there is an element that should be syllogized as "intentionally". Although it is not in the statutory definition, the definition of intentionally exists in doctrine. In addition to being an interesting topic to discuss in a statutory ruling, the doctrines that judges often cite as part of their decisions are also interesting to consider.

Fourth, analyze the dictum or ruling of the judge's decision. The analysis is carried out by paying attention to the ruling or dictum by looking at the disparity of decisions, namely to see the consistency in the types of sanctions and the weight of sanctions between decisions made by one party and decisions made by other parties in similar cases. This analysis of the ruling or dictum focuses more on the discretion of the judge, both from the aspect of aggravating and mitigating factors. However, the decision does not elaborate on the factors used.

The analysis of the judge's decision should be carried out systematically. The four steps of analysis mentioned above refer to the six steps of legal reasoning (Shidarta, 2006).

a. finding facts to create a structure or map of the case that is considered to have occurred by the judge.
b. linking (subsuming) the case structure with relevant legal sources, so that the law is determined by juridical terminology or legal terms.
c. Select relevant legal sources and rules to obtain the policies contained therein, resulting in a coherent rule structure or map.
d. linking the rule structure with the case structure
e. looking for alternatives to the established law.

Table 1. Correlation between decision analysis and legal reasoning by judges

No.	Decision Analysis	Legal Reasoning	Dec.
1	First Analysis	Legal reasoning (a) and (b)	
2	Second Analysis	Legal reasoning (c)	
3	Third Analysis	Legal reasoning (d), (e) and (f)	
4	Fourth Analysis	"Not appearing in the legal reasoning steps because it is	"For example, we face difficulty in determining the cognitive reasons behind a judge sentencing one thief to a one-year

discretionary and cannot be fully traced by cognitive reasoning."	prison term in a particular case while another thief receives a two-year prison sentence in a different case."

6. Research Background on Decision Analysis

The background of the issue lies in legal events, legal facts, or cases that should be intriguing. It is current and relevant to the development and legal issues currently occurring in society. What is crucial includes, among others:

a. There is a disparity in decision outcomes for a particular issue in Religious Courts across various regions.
b. There is a disparity in the verdicts between Religious Courts, High Courts, and Supreme Court decisions.
c. There exists a gap between practice and normative law.
d. There are differences in the judge's paradigm tendencies in rendering judgments. For instance, normative law may not yet fully accommodate changes occurring within society.

"After obtaining the research background, the researcher must then consider at least three aspects that need to be developed in formulating the research problem, namely:"

a. The judge's method in finding the law
b. Judge's problem-solving paradigm
c. Implications of the ruling on (1) setting similar laws (2) the development of family law in Indonesia

Other important aspects to consider in legal research using a case study approach are qualitative research methods (Stake, 2008) especially in the analysis of rulings. It involves literature or library research. Primary, secondary, and tertiary legal materials are prioritized when using secondary data sources. Other legal sources include Islamic law, legislation, and judicial decisions. Approaches that the researcher might employ include philosophical, case-based, normative, and sociological approaches. The theories that researchers might likely use are the *rechtsvinding* theory (theory of legal discovery), *maqasid al-shariah* theory, and progressive law theory.

Engaging title narratives for a study of decision analysis can begin with unique words or phrases. Phrasal titles or expressions that can be used to create a research title with decision analysis include Analysis of a judge's decision, Application, and discovery of law in judge's rulings, Study of legal reasoning models employed by judges, Legal Logic behind Judge's Rulings, Family Law Analysis on rulings, Judge's Legal Reasoning in decision-making, Analysis of... in Judge's Ruling No., Analysis of discrepancies in Judge's rulings with regulations... and others.
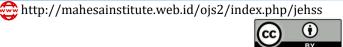
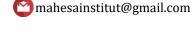### 7. Characteristics of Judge's Decision Analysis

The characteristics of a judge's decision analysis study lie in the researcher's efforts to comprehend or examine the legal reasoning employed by judges in determining those verdicts. Legal reasoning by judges is the most crucial consideration as a characteristic of judicial decisions. There are numerous social issues in society. Among these many social issues, one must be able to identify or select the legal issues and subsequently create and solve them. Selecting legal issues from social issues, which often overlap with legal matters and are challenging to delineate, such as politics, ethics, religion, and so forth, is a difficult task. This is where the ability to identify legal issues and then formulate them becomes crucial.

Judges are symbols of the judiciary, and when they make decisions on cases, they must possess high intelligence, morality, and integrity to reflect a sense of justice, ensure legal certainty, and benefit society. In terms of "legal reasoning," judges must decide a case by considering various arguments that are acceptable to all parties and not deviate from applicable legal principles.

Legal reasoning is part of a court's decision-making process in determining a case and can be defined as the search for "reasons" about the law or the basis for how a judge decides a case. Legal reasoning can stem from jurisprudential, philosophical, sociological, or theological perspectives, as well as from various methods of legal interpretation.

Judges must employ legal reasoning meticulously, systematically, and with proper language when formulating, arranging, and deciding on a case. Legal reasoning should be carefully

structured, meaning it must be comprehensive, containing the facts of the event, legal facts, formulation of legal facts, and application of legal norms within positive law, customs, jurisprudence, and other legal theories, based on aspects and.

Judges have a responsibility to "resolve legal issues" after examining and studying an event or incident. This is because the same issues exist within society. However, as authorities make decisions, judges must be able to find the law. Therefore, judges must possess the ability to first select the issue and then establish its law. A judge must undertake legal resolution (resolution of legal issues) after discovering the law from that event or incident.

However, many judges encountered are the same, and there are differences in their decisions. Nonetheless, prosecutors from the Attorney General's Office handling the case have repeatedly accused him, for example, regarding allegations of corruption, gratification, and money laundering. Indonesia employs the Anglo-Saxon legal system. The principle of Similia Similibus-cases similar in nature should be decided similarly—where Indonesian judges adhere to the principle of "The Binding Force of Precedent," which requires them to follow the decisions of other judges in similar cases or similar terms. The theory of 'Stare Decisis Et Queita Nonmovere' states that the current court decision for the same case must be the same as previously decided. In cases where judges intend to deviate from previous judicial decisions on the same case, judges can use clear and reasonable grounds (legal reasoning).

However, in practice, Indonesian jurisprudence differs from the jurisprudence of the Anglo-Saxon legal system in general because Indonesia adheres to the doctrine of *r*echtsvinding, where a judge, apart from being bound by the law, also has the freedom to find the law on their own. Indonesian judges are mandated to have the freedom to interpret and construe the law based on statutory regulations when they adjudicate. Article 24 of the Fourth Amendment to the Constitution of the Republic of Indonesia Year 1945 states that the judiciary exercises its authority in conducting fair trials, providing personal and institutional freedom to judges. As also mentioned in Article 48 paragraph (1) of Law Number 48 of 2009 concerning the Judiciary, which states "The state guarantees the security and welfare of judges and constitutional judges in carrying out the duties and responsibilities of administering judicial power."

However, judges are still obligated to adjudicate cases if the legal basis is unclear or non-existent. In other words, the principle of legality must be the initial basis for judges to adjudicate cases.

As in many cases with differing decisions, a recent drug case in the Sidoarjo District Court is one such example. The judge sentenced Wildan to only 1 year in prison, while Taureq A.M. was sentenced to 1 year and 6 months in prison, even though the drugs were purchased by Wildan. Families and the media received criticism and raised questions because the judges did not provide a clear legal rationale for their differing decisions.
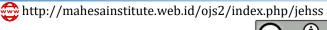
According to Mertokusumo, "The job of a judge, aside from being practically routine, is also scientific; the nature of their duty requires them to constantly delve into legal knowledge to solidify legal considerations as the basis of their decisions." Judges must always possess extensive legal knowledge when examining and deciding cases.

Judges should learn more about Continental European law, which is theoretically more dominant in Indonesia if they want to refine their legal reasoning in their decisions that theoretically embody principles of justice and truth. Judges are bound by written laws, the form, and nature of legislation.

To apply it to in-concrete cases, or specific rules, judges must consider general provisions. Judges in the Continental European legal system may rely on precedents, but legal considerations or legal reasoning should serve as a reference for the decision's judgment. To prevent confusion and questions in society, every judgment should be based on legal reasoning strengthened by legal theory regarding the facts revealed in the same case trial. Judges should also adhere to clear and precise provisions and avoid political interests when formulating them, not interpreting formal law and its process more extensively than necessary for the community.

8. Analysis of Rulings from an Islamic Legal Perspective

Specifically, there are no established steps for analyzing rulings using an Islamic legal perspective. What is done when employing the Islamic legal perspective in analyzing rulings is to

assess whether the judge's actions adhere to the principles of truth in Islamic teachings and the justice offered within Islam.

Several aspects involved in utilizing the Islamic legal perspective in analyzing rulings include: (1) whether the judge's ruling aligns with Islamic teachings or complies with what is dictated by Islamic law, (2) whether the legal reasoning adopted by the judges aligns with Islamic law and doesn't violate prohibitions in Islam, (3) whether the outcome of the judge's ruling has implications or consequences in line with Islamic law or, conversely, presents effects or implications contradicting Islamic law. For instance, (Sitorus & Andika, 2022) analysis also examines whether a judge grants a divorce decree due to apostasy or other reasons, evaluating the alignment of such decisions with Islamic law.

The phrases used in titles for studies analyzing rulings using an Islamic legal perspective are diverse. Phrases in titles can begin with words such as (1) Islamic Law Analysis of Decision No… (2) Objectives of Islamic Law towards Judge's Decision No… (3) Judge's Ruling Analysis on… from the Perspective of Islamic Law (4) Islamic Law Perspective on Judge's Decision on… (Analysis of Decision No…) (5) Judge's Consideration in Resolving Cases… (Islamic Law Analysis on Decision No…) (6) Islamic Law Concept on… (Analysis of Decision No…) (7) Maqasid Sharia Analysis of Decision No. ….

However, this is not a reality. In titles for studies analyzing rulings, phrases are used in various ways. This is determined by the pressure of research questions (research inquiries). The emphasized phrases in the title should be appropriate and meet the criteria for a good title that addresses problems and contributes to the field.
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CONCLUSION

This type of normative legal research includes analysis of judges' decisions. This type of research is more similar to library research or exploring library material data. For decision analysis, a case approach is used. This does not exclude the possibility of using alternative approaches, such as conceptual or statutory approaches. Qualitative research is a type of research. Primary, secondary, and tertiary legal materials are used as data sources as sources of Islamic law, legislation, and decisions made by judges. Methods that can be used include philosophical, casuistic, sociological, or normative. Theories include rethinking theory, mawashi sharia theory, and progressive legal theory. As an example, we can refer to a study as follows 'Penetapan Ahli Waris Asabah Sababiyah (analisis Putusan Mahkamah Agung No. 485K/Ag/2013 Perfektif Hukum Progressif)' (Determination of Asabah Sababiyah's Heirs (analysis of Supreme Court Decision No. 485K/Ag/2013 Perfective Progressive Law). Another Example is a study on Analisis Putusan no. 55/Pid.Sus-Anak/2022/PN-Mdn tentang Penganiayaan oleh Anak dalam Persfektid hukum Pidanan Islam (Analysis of Decision no. 55/Pid.Sus-Anak/2022/PN-Mdn concerning Child Abuse from the Perspective of Islamic Criminal Law)

The characteristics of the Case Approach follow the following research steps: (1) determining the research focus (research focus), which includes the activity of selecting problems that meet the feasibility and significance requirements; (2) increasing theoretical understanding by analyzing library materials and previous research findings; (3) determine the case or study material, which includes choosing where and from whom to obtain the data, (4) create a data acquisition and processing protocol, which includes determining the tools, procedures, and data acquisition and processing techniques used, and (5) carrying out data acquisition, which includes collecting field data or reading the manuscript being studied. (6) processing the data obtained, which includes coding, categorizing, comparing, and discussing activities, (7) approval of research results with research subjects, and (8) formulation of research conclusions, which includes activities to interpret and integrate research results into previous knowledge buildings, as well as making recommendations for subsequent research.

Decision analysis has the following characteristics: (1) determining the facts to produce a structure or map of the case that the judge thinks occurred (2) unifying structures, or subsuming them. related to relevant legal sources, so that the law is determined by juridical terminology or legal terms (3) selecting relevant legal sources and regulations to obtain the policies contained therein, which results in a consistent rule structure or map (4) connecting the rule structure with

the case structure (5) looking for alternative solutions (6) deciding whether to act taken should be done or not.

It is hoped that this research will provide students with a better understanding of the concept or meaning, characteristics, advantages, and case study approach as part of the development of science. So, students will understand the concepts, procedures, and steps of case study research correctly when writing scientific papers using this method. In addition, students gain an understanding of the procedures that must be followed to analyze a judge's decision, the steps required to analyze a judge's decision, and the characteristics of a judge's decision.

This research suggests educators who teach legal research methodology or Islamic law to improve the procedures, techniques, and approaches of decision analysis and case studies so that they can teach students how these techniques and approaches can be applied.

In addition, this research proposes that supervising lecturers must learn how to apply research models that use decision analysis so that they can assist their students in conducting decision analysis research well.

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