



## Toward a Moral Grounded Legal Order: India–Indonesia Heritage and the Prophetic Paradigm of Law

Laode Azizul Kadir<sup>1\*</sup>, Priyanka Kacker<sup>2</sup>

<sup>1</sup> Universitas Muhammadiyah Kendari

<sup>2</sup> National Forensic Sciences University, Gandhinagar

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### ABSTRACT

**Purpose of the Study:** This study aims to examine the limitations of the positivistic paradigm in understanding Indonesian law and analyse the legal paradigms of prophetic-transcendental. Absorbs as an alternative epistemology that is capable of presenting justice, spirituality, and meaning in more humane laws.

**Methodology:** This research uses a qualitative normative methodology with a philosophical approach to law through conceptual, hermeneutic, and comparative studies, and a positivistic law perspective. **Results:** The Study finds that the legal paradigm is prophetic, not only critiquing positivism, but also offering a transformative framework that integrates reason, moral values, and spirituality as the foundation for developing a more national, holistic, and civilised law.

**Applications of This Study:** The results of this study can be implemented in reforming the education law, drafting regulations based on value, updating practice responsive to justice, as well as formulating a direction for national political law.

**Novelty / Originality of This Study:** This research focuses on the formulation of prophetic legal paradigms as a legal epistemology, a unifying alternative that combines knowledge, faith, and context, as well as social aspects, while simultaneously reconstructing the ontology, epistemology, and axiology of Indonesian law towards a system that values fairness, humanity, and spirituality. In essence, the prophetic legal paradigm offers Indonesia a transformative path toward a just system, rooted not only in legality but also in morality, human dignity, and spiritual wisdom. By drawing from its own traditions and learning from India's value-based constitutional practices, Indonesia can build a legal order that is fair, humane, and unduly meaningful.

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**\*Corresponding Author:**

Laode Azizul Kadir

Email Address : [laodeazizulk@gmail.com](mailto:laodeazizulk@gmail.com)

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### 1. INTRODUCTION

Knowledge of law in Indonesia during this time was still struggling in the realm [1]. In this system, the law is understood as rigid as a written norm, regardless of the social, spiritual, and moral aspects of society. As a result, many policy laws that are procedurally legitimate, however, are not fair in a substantive way. This is triggering criticisms of positivist law, particularly regarding birth. One of the most important things that offers a paradigm alternative is Absorption through the idea of "*knowledge law transcendental*" and "*law prophetic*". Ideas, this not only stems from the methodological need, but also from the ethical and philosophical concerns about directing the development of law in Indonesia.

As a response to the stagnation of methodology, too much law is textual and formalistic. Absori's thoughts present the Spirit for reconstructing paradigm knowledge law to a more inclusive, ethical, and spiritual direction. In the midst of a crisis, trust in the law as a tool of justice becomes prophetic, becoming a source of hope, and laws that not only regulate but also guide, enlighten, and humanise. Law does not again just make into a tool of power, but returns to nature as guide values and means creation of a just and dignified civilisation [2].

In global and national contexts, various social, political, environmental, and ethical crises have highlighted the limitations of law in responding to society's needs. When the law narrowed to become just a text of normative legal form, then it lost its ethical and philosophical dimensions [3]. On the other hand, the law that integrates spirituality and values humanity precisely can answer the anxiety of the times. In

point, this is the thought of Absorption that becomes relevant and urgent for review in a deep way.

In Indonesia, the dominance of the colonial inheritance law and the Western adoption theory of Western law (such as Hans Kelsen with normative-formalistic) still dominate the academic world and practice of legislation and justice. Even though Indonesia has rich values, local and religious, that are not reflected in the national system law.

Therefore, the need for reconstructing epistemology will become inevitable. Several studies previously conducted strengthen the urgency of reconstructing epistemology within the Indonesian legal system. Satjipto Rahardjo, through the concept of Law Progressive, confirms that Indonesian law cannot rely solely on legal formalism, an inheritance from colonialism, because the reality of social values in Indonesian society demands more humanist and contextual laws [4]. Study Bagir Manan[5] also shows that the system of national law is not yet fully capable of accommodating non-positivistic sources of law, such as customs and religious principles, even though both are strongly epistemically structured in Indonesian social life. In addition to that, Bernard Arief's study Siddhartha [6], [7] shows that the epistemology of Indonesian law is still trapped in a European-style, normative-deductive Continental mindset, so that it needs a paradigm update so that the law capable dialogue with the historical context, philosophical values, and the nation.

## 2. PROBLEM FORMULATION

- a. What criticism main Absori to epistemology law positivistic?
- b. How did the draft paradigm transcendental and law prophetic develop in philosophy and law?
- c. What contribution paradigm law is prophetic to update law in Indonesia?

## 3. RESEARCH METHODS

This is a qualitative normative study that uses a philosophical approach to law. The aim is to explore and study a deep paradigm of law prophetic offered by Absori within the framework of updated epistemology and knowledge of law in Indonesia. The main focus of the study is on the conceptual, philosophical, and methodological aspects of the paradigm transcendental in knowledge law.

Type study. This is a study of law from a normative perspective, with an emphasis on the conceptual approach and the philosophy of law. The study examines the concept of law as a system of values and guidelines for ethics through an analysis of works in science, as well as relevant thoughts from other figures in the fields of law, philosophy, and theology.

Data used in the study. This is secondary data, comprising legal and non-legal ingredients such as books, articles, journals, scientific seminars, dissertations, and other relevant documents related to the topic. Data collection techniques were carried out through the study Library (*Library research*). The data was then analysed in a descriptive-qualitative manner, with an emphasis on interpretation, reflection, critical reflection, and theoretical synthesis to discuss philosophy, law, and prophecy.

Analysis in the study is done through three stages :

1. Data reduction, with sorting relevant sources to the topic study.

2. Display data, in the form of presentation ideas, keys and mapping the connection between the draft.
3. Conclusion, namely compilation, narrative, and synthetic answer formulation problems and produce new argumentative ideas.

This allows for disclosure, meaning law, in a way that is more wide-ranging and profound, not only limited to logical and normative dimensions, but also includes transcendental dimensions and values of divinity that become the basis of prophetic law [8].

## 4. MATERIAL AND DISCUSSION

### 4.1 Criticism of Legal Positivism

Positivism puts law in a framework of formalism, neutrality, and certainty. However, in practice, this approach is not capable of touching justice substantively practice, approach This No capable touch justice substantive. Absori criticizes that law positivism denies spiritual dimension, values ethics, and spirituality, so that law becomes dry and mechanistic. . Absori critiques the deep domination of positivism in Indonesian law. According to him, the positivist legal paradigm has reduced law to a normative formal device oriented towards certainty, thereby denying the dimensions of ethics, morals, and spirituality that are essential for achieving substantive justice. In various works, he develops the idea of law, believing in God and a legal paradigm that transcends the temporal, which places law as a science that is not only based on logical and normative principles, but also values divinity, benefit, and human dignity. Absori confirms that knowledge law must adopt a nature-integrative-holistic approach, blending normative, empirical-sociological, and transcendental dimensions as the basis for law, with a greater emphasis on national and humanist perspectives [9]. Objective law, according to him, does not stop at procedural certainty, but must be oriented towards justice, demanding transcendental harmonisation between moral values, spirituality, and social reality. He also criticises the phenomenon of "strangeness" function law " in Indonesian practice, where the law often is dry, mechanistic, and disconnected from the values of a sublime society, so that it fails to operate the function of humanity and civilisation [10], [11]. Because of this, Absori emphasises the need to reorient epistemology to build a more national, substantive, humanist, and values based Deity [11].

This aligns with criticism made by Satjipto Rahardjo regarding laws as institutions that are not neutral and are always influenced by values and social context.

Positivist law is the view that considers that law must be separated from morality. In view of this, law is an order from a legitimate and valid ruler , because it is made through prescribed procedures, and it contains marks of justice. This is influenced by figures such as John Austin and Hans Kelsen, who stated that law is a system-free normative from consideration mark [12].

Absori looks at that paradigm. This has dwarfed law to become just a product of sterile power from mark ethics and spirituality. Law is viewed only as a normative logic, not as an instrument for changing the living society. In many cases, system law-based positivism precisely legitimises injustice because it ignores substantive moral justice. [8]

In tune with that, Satjipto Rahardjo mentions that law positivism only gives birth to legal law, but not fairness. He emphasises that the law must be capable of becoming a bridge between the normative text and the complex social reality [4]. He submits an idea for progressive law, inspiring moral awareness in the creation and implementation of law.

Qodri Azizy also emphasised that law positivism ignores local and religious values in society, even though in a plural society like Indonesia, the law cannot be universalised in an absolute way [13].

In paradigm law, prophetic, critical to positivism, is directed at neglecting transcendental values in the formation and enforcement of law. In the legal paradigm, transcendental values form the foundation of the primary principles that give the law its soul, guiding its formation and enforcement. These values include dimensions of divinity, humanity, justice, substantive welfare, and moral awareness, all of which function to correct moral drought in positivist law. Values deity emphasises that law No may not be neutral to morality, but rather must be in harmony with the principles of truth, honesty, and rejection of all forms of injustice. Humanity values the dignity of man as the centre of orientation, so that law directs to protect and glorify every individual. On the other hand, others, justice substantives, demand that the law not stop at procedural certainty, but consider the social context and a sense of justice in society. Value welfare expands the scope of objective law to create welfare and prevent harm to society. Besides that, spirituality and moral awareness become an important element for forming an integrity apparatus law so as not to be trapped in a purely legalistic mechanism. Thus, the values transcendental in law, prophetic in function, return to law on an objective basis, essentially as a means of humanisation and enforcement of true justice [8]. When the law separated from spiritual values, then He lost direction and meaning. This is where law prophetic presents itself as correct in approaching positivism with an offer of integration between laws and values, divinity and humanity, as well as substantive justice [8].

As put forward by Bernard Arief Siddhartha, knowledge law is not enough with a framework of formal logic, but must penetrate into the dimensions of ontological and axiological. It states that "knowledge law must be *based on awareness values and responsibilities and social responsibility*" [7].

#### 4.2 Epistemology Transcendental in Legal Studies

According to Absori, the transcendental law paradigm is an approach that views law in a holistic manner, combining reason, heart, and revelation. Paradigm law transcendental is an approach that views law as a science that not only relies on mere rationality, but also on deep conscience and values that incorporate divinity. In his views, modern positivism has reduced law to a product of human reason, resulting in a loss of connection with the moral and spiritual dimensions of society. For that, the legal paradigm transcends the traditional, presenting an offer framework with an epistemological nature, integrative-holistic, namely by combining reason as a means of analysis, rationality, the heart as the centre of

moral awareness and ethics, as well as revelation as a source of transcendental guidance for justice and substantive direction. Third, this dimension is seen as one mutual unity, complete in building knowledge, more laws, humane, just, and oriented on welfare [8]. Approach this beyond just reasoning, logical, formal, and open dialogue space between law, religion, culture and values, humanity. He mentions that integration between the empirical and metaphysical dimensions is key to developing down-to-earth law at a meaningful time.

Epistemology law transcendental, developed by Absori, is a criticism of the positivistic approach that separates law from the dimensions of values, ethics, and spirituality. In a positivistic approach, law becomes merely a system of structured norms in a logical and systematic manner, but devoid of substance, justice, and wisdom. On the contrary, epistemology transcendental looks at the truth law that solely originates from logical empirical, but also from spiritual and moral inspiration that comes from the Lord.

Absori mentions that the transcendental paradigm is a holistic and integrative approach. It unites three pillars of knowledge, law, namely :

1. Rationality (reason ) as normal developed in traditional Western law;
2. Spirituality (qalb/heart) as a source of intuition and wisdom, inner;
3. Revelation (transcendence) as a foundation mark, absolute guiding direction, law [14].

According to Absori, law No Enough is built on the basis of instrumental rationality or pragmatic politics, but rather must start from awareness of the cosmos that law is part of the "order Lord" to create just order in the world. Approach this in line with Imam Al-Ghazali's thoughts, which divide knowledge into two: physical and spiritual, where the highest knowledge is the one that can guide man in approaching God and attain wisdom [15].

In the framework of transcendental law, No Again, it is understood as law in the books, but as a manifestation of the divine (sunnatullah) in social human life. Absori confirm that transcendental approach can " *turn on* " the law and make it mean for humanising man through three main aspects :

1. Ethics ( morals )
2. Justice substantive ( not procedural )
3. Objective: a better life ( spiritual meaning )

Besides that, approach. This attempts to combine the dimensions of existential and normative perspectives within a single framework. In the introduction to his book, Absori write :

*"Knowledge law transcendental is science that is not shackled by self in formalism or rationality limited, but open to mark revelation, religion, and wisdom local."* [8].

In line with this, M. Amin Abdullah also emphasised the importance of an "interconnection epistemological" between science, religion, and culture in Islamic and Indonesian science systems.

In "Religious Studies: Normativity or Historicity?", he encourages the view that scientific knowledge (including law) is built through an integrative and transformative approach, rather than a sectoral and dichotomous one [16].

Epistemology, transcendental, open road, new for knowledge law. For developing self, not only as a system logic normative, but as a knowledge mark (*axiology-based science*) which sides with humanity and will God. Thus, the paradigm becomes a bridge between law, morality, and spirituality, A synthesis that fills the epistemological emptiness in the system of modern law.

#### 4.3 The Concept of Prophetic Law

The idea is influenced by Kuntowijoyo's concept of social prophetic knowledge. Prophetic law has three main pillars: (1) humanisation (*ta'muruna bill ma'ruf*), (2) liberation (*tanhauna 'anil munkar*), and (3) transcendence (*tu'minuna billah*). In context law, third mark. This becomes the foundation for building a responsive law to the reality of social values and divine values. Concept: This push law becomes a tool for liberation from structural injustice and oppression.

The draft law, developed by Absori, leaves from anxiety to domination, promoting positivist laws that tend to separate law from moral, spiritual, and transcendental values. Law, in view of this, is not only seen as a product of social or rational decision, but also as an instrument of the divine that brings an ethical mission and liberation.

Absori adopt and develop draft "*knowledge social prophetic*" introduced by Kuntowijoyo [17], and adapt it to in realm law as "*knowledge law prophetic*". Prophetic law based on three main principles taken from *Al-Qur'an Surah Ali Imran verse 110*:

1. Humanisation (*ta'muruna bill ma'ruf*) humanising human beings, upholding basic dignity and rights.
2. Liberation (*tanhauna 'anil munkar*) to liberate from oppression, injustice and poverty structural.
3. Transcendence (*tu'minuna billah*) connecting all form, arrangement, social with values deity [18].

Prophetic law presents not only for arranging social connections, but also for building a just order with substantive and spiritual meaning. This rejects domination logic, formalism, and legalism, because true law is living law in the conscious community and is connected with transcendental awareness. [19]

*Prophetic law is law that marks justice divine, not just the will of the state. He has laws that contain awareness, ethical, spiritual, and social at the same time* " [8].

In epistemology, law, prophecy, and faith must become the drivers of social transformation. This is in harmony with M. Amin Abdullah's ideas regarding the importance of the interconnection between religion, science and ethics in systems science [16]. Here, the law is not only about certainty (*certainty*), but also about blessings (*blessings*) and benefits people.

Satjipto Rahardjo [4], although not in a direct way using the term "prophetic", however own Spirit is similar to progressive law, who take sides on values and partisanship for the oppressed public. He states that law must become an instrument of liberation, not a tool of freezing power.

Prophetic law also has a future orientation (futuristic). He is not static, but rather achievement-oriented, objective, sublime, and human. In view of this, the law must be capable:

1. Answer dynamics of the times (*responsiveness*),
2. Internalise the values of spirituality in regulations,

3. Push justice ecological, equality social and welfare together.

As a cover, law prophetic, no stop at idealism; however, demands institutionalisation as a mark in the system of national law. Legal education, legislative process, and practice of justice must be directed at the vision of moral, civilised and responsible laws that answer spiritually.

#### 4.4 Integration of Science and Faith

One of the characteristics of a typical Absori paradigm is the merger between epistemology and rational values and faith. The law not only intends to regulate, but also to guide. Science law becomes an instrument that brings about changes that are not only legitimate in a formal sense but also beneficial. In this matter, law becomes a kind of social ethics rooted in spiritual awareness and devotion to the Lord.

Draft integration of knowledge and faith becomes the main runway in paradigm law, a prophetic idea developed by Absori. This is rooted in the belief that knowledge (including law) cannot be separated from spiritual values and revelation as the source of the highest truth. In this framework, science is not neutral, but rather loaded with mission, ethical and moral responsibility for the realisation of the welfare of people.

According to Absori [8], dominant Western rationalism has made knowledge a loose discipline from religious values. Science law is viewed as a system-free, normative, and positive value, tied to structured logic and legalistic procedures. In this system, the validity law is measured formally, not in terms of justice or its benefits. As a result, the law often lost its Power and precisely became a tool of hegemonic power.

*" Knowledge law that is released from Mark Faith only will become a structure dry and empty of humanity. Therefore, it is necessary to do reconstruction epistemologically with faith as a runway for ethics to understand and build a legal system."* [8].

Draft integration knowledge and faith is not something new. In the history of Islamic civilisation, integration became based on the development of religious sciences and worldly knowledge. Imam Al-Ghazali emphasised that knowledge must be capable of guiding man to *ma'rifatullah* (recognition of God) and *hikmah* (wisdom), not solely a tool for getting power or the splendour of the world [15]. Furthermore, M. Amin Abdullah, in his idea about "interconnection epistemological", states that the separation between science, religion, and morality is an inheritance of colonialism that must be abandoned. He confirms that integration of knowledge and faith is inevitable in building knowledge rooted in local wisdom and national spirituality [16]. In this context, law as knowledge, society should not be sterile of values, divine being, source, meaning, and direction formation through law.

In approach knowledge, law and prophecy, Absori [8] offers integration between :

1. Science ( legal science ) as a tool for analysis, rational, and methodological ;
2. Faith (revelation/ethics divinity ) as a foundation value and norm;
3. Context socio-cultural as the actualisation of the law in reality.

This integration is not only a natural theoretical approach, but also applicable. In practice, legislation, religious values and spirituality should become a reference in compiled normative law. In education law, the curriculum must include dimensions of ethics, prophetic, not solely mastery of technical law and positive. And in enforcement law, law enforcers need to internalise justice as a reflection of their values and faith.

Draft This at a time correcting the view of positivist law, which, by Hans Kelsen, was assessed as a sterile approach from a value perspective, and not caring about moral [12] aspects. On the other hand, the paradigm law prophetic returns law to nature: as an instrument divine for guarding order, upholding justice, and bringing grace for the universe (mercy) *lil ' alamin*.

Satjipto Rahardjo, although leaving a background of progressive secularism, also emphasises the importance of an open return door mark in the system law. He states that "law No may ignore the existence mark as the source of *his life*. *The law is not an entity dead, but life in a conscious society* " [4]. This thought touches the Spirit law prophetic, even though with different frameworks.

In an era of disruption and global crisis, such as the moment we are in, characterised by social inequality, a crisis environment, and moral decadence, integrating knowledge and faith becomes more relevant. System law No Again Enough is arranged on consideration of market logic and power, but rather must be based on deep spiritual values. It's here that law prophetic becomes a paradigm of alternatives that not only answer legal challenges, but also a crisis, the meaning that hits the contemporary legal system.

#### 4.5 Urgency Updates Legal Science in Indonesia

In plural and religious contexts in Indonesia, rigid laws are often inadequate. Prophetic law offers a contextual, pluralistic, and community-based approach to value. The law is not positioned as an instrument of power only, but as a vehicle for realising justice divine and social. Paradigm: This can become a national runway update law, including in compilation laws, institutional reform, justice, and education law [20].

Updating knowledge of the law in Indonesia is an inevitability that cannot be postponed. This is caused by various structural and paradigmatic problems in the system of national law, up to now, still leaning strongly on heritage positivist colonial law. The law is still dominated by a narrow, legal-formal, and often lost Power responsive to social reality, public ethics, and the nation's spiritual values [21].

Absori emphasises that paradigm knowledge law in Indonesia needs to be reformulated to be more directionally transcendental and prophetic, so that the law can become a social transformation and not just a regulatory device [8]. According to him, the updated knowledge law must be implemented not only at the level of regulatory legislation, but also at the levels of ontological (essence) law, epistemology (method of knowing law), and axiological (purpose) law. Although this aligns with the concept of development, law-based values and culture, a nation that has long been proposed by [5].

One of the most real crises in Indonesia is the rampant corruption in various sectors. Even though Indonesia has strict regulations, such as Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 concerning the Eradication of Criminal Corruption, the practice of corruption is still expanding, even in institutions that enforce the law. This shows that formal law is not enough; what is needed is living law in conscience, law supported by consciousness, ethics and values faith [22], [23].

In this matter, the approach to the law becomes very relevant. The law not only must be legitimate in a procedural way, but also must bring mission liberation from structural oppression, including by elites who abuse power. In this framework, the law prophetic demands the existence of moral courage of the apparatus enforcers, legislators, and academics to put forward integrity and justice substantively.

In tune with that, Satjipto Rahardjo also emphasised that good law is law that is capable of making people happy and empowered, not rigid and frightening laws [24]. Therefore that, the system education the law must also updated so as not to only giving birth to " graduates" competent law technical", but also intellectual the law that has moral and spiritual [25] sensitivity.

On the other hand, the challenge another big one for the law in Indonesia is crisis justice environment. Destruction ecosystem, deforestation, and expansion destructive mining often legalized by state policies that ignore principle sustainability. Environmental law we, even though formally progressive ( such as Law No. 32 of 2009 concerning Protection and Management Environment Life ), in in practice weak in enforcement and often defeated by interests economics and politics [26].

Updates knowledge law in the field of This must integrate principle justice ecologically sustainable. In context this, paradigm law prophetic present offer spiritual dimension as guide direction, with put man as responsible caliph answer on sustainability nature ( *khalifatullah fil ardh* ). Concept benefits and *blessings little world* become moral orientation for every form regulation and enforcement law environment.

Prophetic law must become system conscious law to not quite enough answer ecological and ethical environment. Updates law No Enough with add article, but also with change paradigm think the perpetrators law." [27].

Updates law is also important in Welcoming the era of digital disruption and global change. Science law must open self to interdisciplinarity with knowledge environment, sociology, and even theology, for form system the true law touch root problem humans and society [28].

#### 4.6 Comparison with Other Thinkers

If Satjipto Rahardjo offer law progressive opening room for values and justice, then Absori complete it with spiritual dimension. If Mahfud MD emphasizes importance integration Pancasila values in law, then Absori bring idea the more Far in framework prophetic-transcendental. Comparison This show that paradigm Absori is continuation at a time expansion to thinking philosophy law contemporary in Indonesia.

In formulate paradigm law prophetic, . Absori leave from reflection to crisis knowledge law contemporary and limitations approach law positivistic. In matter this, thought he in line with various thinker big laws in Indonesia such as Satjipto Rahardjo, Mahfud MD, Esmi Warassih, until progressive Muslim thinker like M. Amin Abdullah. However, the paradigm law prophetic offer expansion important with integrate dimensions transcendental and spiritual in explicit.

a) Satjipto Rahardjo and Progressive Law

Satjipto Rahardjo is pioneer main law progressive in Indonesia. He reject law as structure rigid normative, and initiates that the law become "*living law*" (*living law*). It said, "*the law That For human, not on the contrary*". The idea emphasises the importance of small, flexible laws and a functional society.

Similarities with Absori's thoughts lie in the functionalization law as a tool for liberation and glorification of human dignity (humanisation). However, the difference main lies on a spiritual basis. If Satjipto leave from theory sociological and secular morals, then . Absorbs the law on values, divinity, and revelation as the source of law. Prophetic law not only takes sides with humans, but also is responsible for answering the Lord [8].

b) Mahfud MD and Pancasila Legal Politics

Mahfud MD, in his various works, emphasises the importance of political law based on Pancasila. According to him, the direction of the law must be rooted in the values of Pancasila as the basis of the state. In this matter, he also refused empty positivist values and encouraged integration between law and national ideology.

Mahfud MD's idea is in line with Absori in that it values local and state ideology as the source of law. However, Absori expanded discourse by aligning Pancasila with values transcendental Islam, and form construction laws that not only do justice to the worldly, but also to the hereafter ( the afterlife ).

c) Esmi Warassih and Contemplative Law

Esmi Warassih, Satjipto's student, Rahardjo, introduces the approach of law contemplative, which emphasises integration between law, morals, and local culture. According to him, the law must be reviewed in a holistic and reflective way involving contemplation, ethics and local wisdom.

Prophetic law owns the proximity of ideas to law contemplative, especially in matters emphasising depth values, involvement of the inner self, and confession to the plurality of law sources. However, Absori adds a prophetic and revelatory basis to the divine in a way that is explicit within the framework, think about it as something that does not look strong in theory, Esmi Warassih.

d) M. Amin Abdullah and Epistemological Integration

M. Amin Abdullah is known for his idea of epistemology as integrative-interconnective, namely, an approach to science that unites religion, science, and ethics. He criticises the dichotomy between religious sciences and modern sciences, and also calls for the development of spiritual knowledge in a contextual manner.

Idea this is very intertwined with Absori's approach. Prophetic law is basically an embodiment of

interconnection epistemology in the realm of law. The difference is that Absori applies the idea in a way that is concrete in building knowledge of law, with an approach that is transcendental-prophetic.

e) Ronald Dworkin and Law as Integrity

At the global level, Ronald Dworkin's thinking in his book *Law's Empire* [29] also has elements of law as prophecy. Dworkin rejects positivist law and applies the draft "law as integrity", that law is an ongoing moral quest, and judges must interpret law as part of narrative justice.

However, Dworkin departed from secular morals and jurisprudential reasoning based on Western philosophy. Meanwhile, the law prophetic enters dimensions that transcend the secular, embracing Islamic spirituality and revelation as the source of law. This is the differentiator between law, prophetic, and conceptual *law as integrity*.

The legal paradigm prophetic offered by Absori occupies a unique position in the mind maps of Indonesian law because it presents a synthesis between rational scientific rationality, substantive justice, and spiritual depth. His thoughts intersect with Satjipto Rahardjo in matters of partisanship on human rights, as well as in line with Mahfud MD in affirming the importance of Pancasila values as the basis of national political law. He also owns a proximity idea, inspired by the contemplative approach of Esmi Warassih, who emphasizes reflective ethics and local culture, as well as collaboration with M. Amin Abdullah's integrative epistemology, which connects science, ethics, and religion. However, what differentiates. Absorbed from all over, the figure is his courage, enter mark transcendental, and revelation divine in a way explicit in construction knowledge law. With this, the law prophetic not only sees law as an instrument of social, moral, or political, but also as a road leading to awareness of divinity. Uniqueness This is what makes the Absori paradigm a significant contribution in the development of knowledge in Indonesian law: it expands the horizon of philosophy and law nationally, confirms the source of justice as the highest, not only the ratio human, but also the values prophetic as a foundation for ethical-holistic building of just law , substantive and spiritual meaning.

## 5. India–Indonesia Civilizational Connections And Theirs Relevance To A Prophetic Legal Paradigm

### 5.1 Deep Historical Links Between India and Indonesia

For more than two thousand years, India and Indonesia have been connected through maritime trade routes, cultural exchanges, and intellectual dialogue. Long before the rise of modern states, merchants, scholars, and monks traveled between the Indian subcontinent and the Indonesian archipelago. Through these interactions, Indonesian kingdoms such as Srivijaya, Majapahit, Tarumanagara, and Kalinga selectively absorbed philosophical ideas, political models, and aesthetic traditions that originated in India [30].

Evidence of this cultural synthesis appears in numerous Sanskrit inscriptions discovered across Java, Bali, and Sumatra. Concepts such as *dharma*, *nyaya*, and *dharma-raja* were adapted into local governance structures. The Ramayana and Mahabharata entered Javanese performing arts, especially *wayang skin*, while Balinese Hinduism

evolved independently yet unmistakably from Indian spiritual traditions [31], [32]. This long shared history was not the result of colonization but of intercivilizational dialogue, where Indonesian societies adopted what suited their worldview.

This rich background forms an excellent platform for examining how Sanatan Dharma's ethical framework **and** Indonesia's emerging prophetic legal paradigm can speak to each other in contemporary legal discourse.

## 5.2 Sanatan Dharma's Ethical Resonance With Indonesia's Prophetic Legal Vision

Sanatan Dharma treats *dharma* as a guiding principle governing both personal behavior and societal order. It embodies the ideas of justice, duty, harmony, truth, and social well-being [33]. These values align with the Indonesian aspiration to build a legal order that goes beyond legal positivism and embraces substantive justice, moral consciousness, and human dignity [9].

Core dharmic principles such as *satya* (truth), *ahimsa* (non-violence), *Karuna* (compassion), and *lokasangraha* (collective welfare) mirror the moral orientation expected within prophetic law. Sanatan Dharma does not separate knowledge from spirituality; Rather, it maintains that wisdom (*jnana*) is meaningful only when grounded in ethical awareness [34]. This holistic understanding is consistent with the prophetic legal approach that integrates reason, spirituality, and moral insight.

## 5.3 India's Legal System as a Contemporary Example of Value- Oriented Jurisprudence

India offers a modern illustration of how ancient ethical principles can coexist with a secular legal order. The Indian Constitution embeds broad moral commitments justice, liberty, equality, dignity, and fraternity that echo civilizational ethics yet remain firmly secular [35]. Courts in India frequently rely on doctrines like constitutional morality, natural justice, and proportionality to interpret legal provisions in a humane and expansive manner [36]. Indian jurisprudence often reflects a preference for equity and fairness over rigid adherence to formal rules. This interpretive orientation, although not overtly religious, directly reflects the values associated with the dharma of righteousness, compassion, and protection of the vulnerable. It demonstrates that a legal system can incorporate civilizational ethics without turning into religious law, which is precisely the balance Indonesia seeks within its prophetic legal framework.

## 5.4 Implications for Indonesia: Taking Inspiration Without Importing Religion

Indonesia can learn from India's experience in ways that are compatible with its own multicultural and pluralistic identity. Several pathways emerge:

- a. Strengthening Value Based Constitutional Interpretation  
Courts in Indonesia can prioritize interpretations that advance dignity, fairness, and substantive justice, much like India's use of constitutional morality.
- b. Drawing From Indigenous Spiritual and Philosophical Traditions

Just as India integrates dharmic values without enforcing religious law, Indonesia can rely on *adat* values, Pancasila ethics, and its own spiritual philosophies to enrich its legal reasoning.

- c. Reforming Legal Education  
Introducing courses on ethics, philosophy, leadership, and spirituality can help build a generation of Indonesian jurists who embody prophetic ideals in legal practice.
- d. Enhancing Substantive Justice Through Judicial Activism

The prophetic paradigm can be operationalized by adopting proportionality, prioritizing human dignity, and safeguarding vulnerable communities—areas where India's judiciary offers strong examples.

## 5.5 Relevant Indian Legal Provisions Supporting A Value- Based Or Prophetic Legal Model

India's constitutional framework shows how ethical reasoning, dignity, and substantive justice can coexist with secular governance. These features directly align with Indonesia's effort to articulate a prophetic or transcendental legal philosophy. The following provisions and judgments illustrate this value-oriented approach.

1. Article 14 Equality and the Prohibition of Arbitrariness  
Article 14 mandates equality before the law and prohibits arbitrary state action. Courts interpret it as a guarantee of fairness and moral rationality. In *EP Royappa v. State of Tamil Nadu* [37], the Supreme Court held that arbitrariness violates equality, thereby shifting Article 14 into the realm of substantive justice [38]. This supports a moral–ethical legal model where fairness complements statutory rules a central element in prophetic jurisprudence.
2. Article 21 Life, Liberty, and Human Dignity  
Article 21 has been expanded to include dignity, autonomy, privacy, environment, and a meaningful life. Landmark Judgments like *Maneka Gandhi v. Union of India* [39] interpreted Article 21 as requiring just, fair, and reasonable procedures [39]. And, *KS Puttaswamy v. Union of India* [40] recognized privacy as intrinsic to dignity [40]. Illustrate how constitutional provisions can evolve to reflect humane, value-driven legal reasoning.
3. Article 51A Fundamental Duties  
Article 51A lists duties such as compassion, harmony, and protection of cultural heritage [41]. These duties draw from India's civilizational ethics rather than religious law. Indonesia can similarly incorporate Pancasila and adat values as ethical anchors for prophetic law.
4. Articles 32 & 226 Judicial Review and Social Justice  
These articles empower courts to protect rights and entertain public interest litigation. Key Case: *Vishaka v. State of Rajasthan* [42] established guidelines on sexual harassment using international norms and moral reasoning [42]. This shows how courts can serve as agents of ethical transformation, aligned with prophetic jurisprudence.
5. Environmental Jurisprudence Ethical and Ecological Values

Indian environmental law blends legal doctrine with ethical and spiritual principles like intergenerational justice and ecological balance. Major Judgments: *Vellore Citizens' Welfare Forum v. Union of India* [43] adopted the Precautionary and Polluter Pays principles (Supreme Court of India [43]. *Subhash Kumar v. State of Bihar* [44] held that a clean environment is part of the right to life. This blend of law and ethics demonstrates a model compatible with Indonesia's prophetic legal ambitions.

6. Laws for Vulnerable Groups Protection with Dignity India uses a morality-driven approach to protect vulnerable communities through statutes grounded in dignity and care. Examples include: a) Protection of Children from Sexual Offenses Act, [45]; b) SC/ST (Prevention of Atrocities) Act [46]; c) Juvenile Justice (Care and Protection of Children) Act, [46]. This shows how compassion and human dignity guide legal protections—core features of prophetic jurisprudence.
7. Constitutional Doctrine Morality Indian courts often rely on constitutional morality to ensure that values like dignity and equality guide legal interpretation. Key Judgments include; *Navtej Singh Johar v. Union of India* [47] held that dignity and equality override outdated social norms [48]. *Indian Young Lawyers Association v. State of Kerala* applied constitutional morality to uphold gender equality. This doctrine closely mirrors Indonesia's vision of a transcendental or prophetic legal mode where moral reasoning shapes judicial outcomes

## 6. CONCLUSION

This study shows that criticism main Absori to positivism law located on reduction law become just structure normative detachment from morality, spirituality, and awareness ethics society. Positivism, as influenced Austin's thinking and Kelsen, seen fail answer complexity justice substantive Because only emphasize certainty procedural without consider mark humanity And divinity. Through the transcendental paradigm And law prophetic, Absori develop a new epistemological framework that integrates rationality (reason), spiritual ethics (qalb), and revelation as source mark highest in build holistic law And meaningful. Novelty This research is located on affirmation that the legal paradigm prophetic No only criticism to positivism, but is offer comprehensive epistemological that combines draft humanization, liberation, and transcendence base update law national. Compared with thinking Satjipto Rahardjo about law progressive, Esmi Warassih about law contemplative, and idea interconnection epistemologist M. Amin Abdullah, legal paradigm prophetic offer expansion significant because enter mark deity as foundation axiological development law. With Thus, this study shows that that draft law prophetic own contribution distinctive theoretical And original in push reconstruction of Indonesian legal epistemology namely present laws that do not only legitimate in a way legal-formal, but Also fair in a way substantive And connected with awareness transcendental Indonesian society.

Moreover, the longstanding cultural relationship between India and Indonesia fosters a natural basis for comparative legal reflection. The ethical universe of Sanatan Dharma is centered on truth, duty, compassion, and societal welfare

harmonizes with Indonesia's aspiration to construct a legal philosophy that transcends positivism. India's example shows that ancient moral ideas can shape modern legal systems without compromising secularism or constitutional integrity. Indonesia can draw from these insights to strengthen its prophetic legal paradigm, evolving toward a legal order that is not only procedurally correct but also morally responsible, humane, and spiritually conscious.

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