



Constructing the Purposes of Punishment in the National Criminal Code: Weaving a Prophetic Basis for Transcendent Justice

Sahran Hadziq¹, Muhamad Syamsudin², Aroma Elmina Martha²

¹Students of Doctoral Program in Law, Faculty of Law, Universitas Islam Indonesia, Indonesia

²Faculty of Law, Universitas Islam Indonesia, Indonesia

Corresponding: sahran.hadziq@law.uad.ac.id

Received: 2026-05-27 | Accepted: 2026-07-21 | Published: 2026-07-24

Abstract

The reform of the criminal law in Indonesia through Law Number 1 of 2023 concerning the National Criminal Code (National Criminal Code) has marked a fundamental paradigm shift, especially related to the expansion of the principle of legality and the formulation of penal objectives. This shift indicates the inclusion of "values that live in society" as one of the parameters of criminal law enforcement, which inherently opens the space for interpretation for spiritual and transcendent dimensions in determining the purpose of punishment. This research aims to analyze the problems contained in the construction of the purpose of the National Criminal Code by examining the underlying value of justice and analyzing it based on prophetic foundations to knit transcendent justice. This research uses normative legal research methods supported by secondary data as well as legislative, philosophical and conceptual approaches. The data was collected by conducting a literature study and analyzed through qualitative descriptive methods. The results of this study show that the National Criminal Code has adopted local values, but the potential "value of belief" that refers to Divine or God power has not been explicitly articulated as a strong normative foundation. The prophetic foundation, which emphasizes the ethical-transcendent dimension in law, offers a doctrinal reconstruction to systematically integrate Divine values for the purpose of punishment, not as a theologization of law, but as an affirmation of *ratio legis* that goes beyond mere utilitarianism. This research argues that the revitalization of prophetic law can enrich the criminal justice discourse in Indonesia, encourage more humanistic, proportionate criminal practices, and rooted in universal moral principles that are believed to come from transcendent sources, to achieve comprehensive justice based on the One Godhead.

Keywords: Purposes of Punishment; Prophetic Basis; Transcendent Justice

I. Introduction

The development of criminal law in Indonesia in principle always moves dynamically.¹ This reality is not only a response to the ever-changing complexity of crime, but also a reflection of philosophical dynamics about the nature of justice and humanity in the criminal justice system. The ratification of Law Number 1 of 2023 concerning the National Criminal Code (National Criminal Code) is the main foundation for criminal law reform in Indonesia. The National

¹ Hartanto Hartanto, "Fenomena Penerapan Hukum Pidana Modern Tahun 2026," *Al-Adl: Jurnal Hukum* 16, no. 2 (2024): 58-75.

Criminal Code is a significant historical milestone to mark a new chapter in criminal law in Indonesia after being shackled by a long legacy of colonialism.²

The changes made by the National Criminal Code do not only lie in the codification and synchronization of mere norms, but also in the expansion of the meaning of the principle of legality and the construction of the purpose of punishment. The expansion of the meaning of the principle of legality has brought about a paradigm shift to provide space for the law that lives in society as the foundation of criminal law.³ It also influences the construction of a more holistic and value-oriented criminal goal that lives in society. This reality is the impact of progressive efforts in bringing criminal law closer to the sociocultural and spiritual context of the Indonesian nation.

The construction of the purpose of punishment in the National Criminal Code no longer only focuses on the conventional retributive and rehabilitative paradigms but has shifted to accommodate broader dimensions.⁴ The dimensions that are used as the center of attention today are community protection, prevention of repetition of criminal acts, and the restoration of social balance. The paradigm shift in the purpose of punishment contained in the National Criminal Code cannot be separated from the affirmation to consider the values of the law that live in society. This condition can present substantial hermeneutic opportunities and in essence will open space for the inclusion of various spectrums of values, including religious or religious values that are the basis of community morality.⁵

The religious and religious values implied in the construction of the purpose of punishment indicate a renewal that implicitly recognizes the transcendent dimension in the construction of justice. The transcendent dimension is essentially a realm of cosmic thought that cannot be reduced to mere juridical-postivistic rationality.⁶ The thoughts contained in it will lead to the existence of the study of prophetic law as a discourse that has not been explored in depth in the context of Indonesian criminal law. The study of prophetic law cannot be interpreted only as an attempt to literallyologize the law but must instead be interpreted as a philosophical framework that places the law in an ethical-transcendent dimension.⁷

The implementation of prophetic law studies to construct the construction of the purpose of punishment as part of the reform of the criminal law will affect the foundations in the principles used. Justice, humanity and universal truth are basically the main principles in the enforcement of criminal law, so in this case the three principles must be believed to have a Divine foundation. The consequences of the existence of a Divine foundation based on the study of prophetic law led to being rooted in values that go beyond the rational consensus of man alone.⁸ The essence of this thinking lies in the belief that a just and civilized law should be able to reflect the Divine power or the principles of the Godhead. The manifestation of this essence lies in criminal acts that are substantially fair in a transcendent and grounded sense, not limited to procedural or formalistic justice.

The combination of the renewal of the purpose of punishment in the National Criminal Code with an orientation to living values through the study of prophetic law is the central foothold of this research. The construction contained in it shows that there is a doctrinal gap in the reform of the criminal law in Indonesia. On the one hand, the National Criminal Code has provided space for values that live in society by encompassing transcendent dimensions to

² Kaharuddin et al., "Perbandingan Substansi Hukum Pidana Antara KUHP Baru Dengan KUHP Lama: Dekolonisasi, Demokratisasi, Dan Pemenuhan Hak Asasi Manusia," *Jurnal Riksa Cendikia Nusantara* 1, no. 4 (2025): 1-9.

³ Nella Sumika Putri, "Memikirkan Kembali Unsur 'Hukum Yang Hidup Dalam Masyarakat' Dalam Pasal 2 RKUHP Ditinjau Perspektif Asas Legalitas," *Indonesian Criminal Law Review* 1, no. 1 (2021).

⁴ Muhammad Ramadhan and Dwi oktafia ariyanti, "Tujuan Pemidanaan Dalam Kebijakan Pada Pembaharuan Hukum Pidana Indonesia," *Jurnal Rechten : Riset Hukum Dan Hak Asasi Manusia* 5, no. 1 (2023).

⁵ Noveria Devy Irmawati and Barda Nawawi Arief, "Urgensi Tujuan Dan Pedoman Pemidanaan Dalam Rangka Pembaharuan Sistem Pemidanaan Hukum Pidana," *Jurnal Pembangunan Hukum Indonesia* 3, no. 2 (2021).

⁶ Satjipto Rahardjo, *Penegakan Hukum Progresif* (Jakarta: Penerbit Buku Kompas, 2010), 46.

⁷ Suwandi Suwandi and Teguh Setyobudi, "Sintesa Hukum Islam dan Kebudayaan Jawa Suatu Pendekatan Profetik," *De Jure: Jurnal Hukum dan Syari'ah* 12, no. 2 (2020).

⁸ Muhammad Hairul Ihsan, "Konstruksi Hakikat Hukum Islam Dalam Perspektif Filsafat Hukum: Integrasi Dimensi Transendental, Moral, Dan Sosial," *Mitsaqan Ghalizian* 5, no. 1 (2025): 15-27.

construct the purpose of punishment. The other side is related to the conceptual framework for interpreting and applying transcendent values, especially the part of "divine power" that is still vague and dogmatically unconstructed in the reform of the national criminal law. This condition brings the potential for a superficial interpretation of living values, especially related to the transcendent dimension, if there is no solid foundation in analyzing them. The effort that needs to be considered is not to let the interpretation of the construction of the purpose of punishment based on living values only stop at the empirical sociological stage without touching the philosophical and spiritual depth that is the essence of the existence of the law.

Previous research that specifically discussed the construction of the purpose of punishment through prophetic foundations to achieve transcendent justice has led more to the study of law enforcement. This is in line with the research conducted by Electrananda which discusses divine law enforcement through prophetic law.⁹ The research confirms that the positivistic legal paradigm often encounters impasse in the interpretation of law enforcement functions. The impasse lies in the understanding of law enforcers who are limited to the text of the legislation, so that it often misses the contextualization and objectification of the values contained in the text to the facts that develop dynamically. This condition makes the science of law prophetic that has transcendent thinking to interpret the encotomy between the basis of legal epistemology and transcendent values in law enforcement.

The results of previous studies showed a difference with this study. The fundamental difference from this study lies in the effort to examine the construction of the purpose of punishment in the National Criminal Code based on prophetic foundations to realize transcendent justice. This research is not only limited to identifying the values that live in society but seeks to examine in depth the foundation of these values, namely the dimension of Godhead in realizing transcendent justice through the construction of the purpose of punishment in the National Criminal Code. This study is very crucial in the context of Indonesia as a country based on Pancasila by placing the One Godhead in the first precept because it will be the basis of philosophy for all fields of national and state life, including in the penal system. Thus, this research is expected to make a significant contribution to the implementation of the construction of the purpose of punishment in the National Criminal Code that is more humane, ethical and in line with the ideals of transcendent justice rooted in the values of God.

II. Research Problems

Based on the background of the problem that has been described, the problems in this research are formulated into 2 (two) basic questions, namely:

1. What is the underlying foundation of justice values within the construction of the purposes of punishment in the National Criminal Code?
2. How to construct a prophetic basis for transcendent justice within the formulation of the purposes of punishment in the National Criminal Code?

III. Research Methods

This type of research is normative legal research, which is research that emphasizes efforts to examine and analyze legal rules, principles, norms, and doctrines with the aim of solving certain legal issues.¹⁰ This type of research was chosen because it is relevant to solve the legal issues to be studied and analyzed, namely related to the construction of the purpose of punishment in the National Criminal Code by examining it through prophetic foundations as an effort to realize transcendent justice. The study of the legal issue also uses several methods of approach in analyzing it, namely the legislative approach, the philosophical approach and the conceptual approach.

⁹ Ellectrananda Anugerah Ash-shidiqqi, "Meneropong Ilmu Hukum Profetik: Penegakan Hukum Yang Berketuhanan," *Amnesti: Jurnal Hukum* 2, no. 1 (2020).

¹⁰ M. Syamsudin, *Mahir Meneliti Permasalahan Hukum* (Jakarta: Kencana, 2021).

Normative legal research is often also referred to as doctrinal or literature law research, so the data to be used is secondary data consisting of primary, secondary and tertiary legal materials.¹¹ Secondary data in principle is data obtained not directly from the field, but data that has been collected by other parties and reused in a research for a specific purpose. Secondary data collection was carried out through a literature study that focused on the object of this research, which is to analyze the construction of the purpose of punishment in the National Criminal Code through a prophetic foundation to achieve transcendent justice. The data that has been collected will be processed and analyzed using a qualitative descriptive method with the aim of describing, analyzing and summarizing various phenomena from the data owned through several steps, namely data collection, data reduction, data presentation and drawing conclusions.

IV. Result and Discussion

1. The Underlying Justice Values within the Construction of the Purposes of Punishment in the National Criminal Code

The reform of Indonesia's criminal law through the National Criminal Code has sparked many discourses about the philosophical and sociological foundations contained in it. These two foundations are very important to provide confidence for the public in the changes made by the National Criminal Code. One of the changes that occurred was the formulation of the purpose of punishment which was used as the main reference in enforcing criminal law. Before the National Criminal Code came into effect, the purpose of punishment in the Indonesian criminal law system had never been explicitly formulated in laws and regulations.¹² This condition makes the purpose of punishment only limited to understanding the Indonesian criminal law system which tends to be oriented towards retribution and general prevention, although elements of rehabilitation have begun to emerge through certain practices.

The formulation of the purpose of punishment in the National Criminal Code is in principle not just a formality but is carried out comprehensively and multidimensionally. This shows that there is a paradigm shift in the Indonesian criminal law system, especially related to the purpose of punishment which has a wider scope. The expansion can be strongly suspected to come from the influence of the expansion of the principle of legality which seeks to provide space for living law as one of the foundations in criminal law. Another factor is the effort to harmonize criminal law with universal principles of humanity, including the peculiarities of values that live in Indonesian society. The concept of the idea of balance contained in the spirit of Indonesian criminal law reform also has an influence on the formulation of the purpose of punishment. The idea of balance in criminal law basically seeks to harmonize various conflicting interests, for example between formal (written) provisions and material (unwritten) provisions.¹³

The purpose of punishment in the National Criminal Code has been formulated clearly and systematically through Articles 51 and 52. Article 52 of the National Criminal Code is basically an affirmation of the principles upheld in achieving the goals of punishment. The principle in question is to always maintain human dignity and dignity, so that punishment is not intended to degrade them. The general formulation of the purpose of punishment to be achieved is found in Article 51 of the National Criminal Code which explains that punishment aims to achieve 4 (four) things, namely:

- a. Preventing criminal acts by enforcing legal norms for the protection and protection of the community;
- b. Socializing convicts by providing coaching and guidance to become good and useful people;

¹¹ I. Made Pasek Diantha, *Metodologi Penelitian Hukum Normatif Dalam Justifikasi Teori Hukum* (Jakarta: Prenada Media Group, 2017).

¹² Jauhari D. Kusuma, "Tujuan Dan Pedoman Pemidanaan Dalam Pembaharuan Sistem Pemidanaan Di Indonesia," *Muhakkamah* 1, no. 2 (2016).

¹³ Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru* (Jakarta: Kencana, 2017).

- c. Resolving conflicts caused by criminal acts, restoring balance, and bringing a sense of security and peace in society; and
- d. Fostering a sense of remorse and relieving the guilt of the convict.

The systematics of the formulation of the purpose of punishment in Article 51 of the National Criminal Code basically contain a cumulative nature. The consequence of the cumulative nature is that each goal of punishment must be achieved as a whole, so that it cannot choose just one. In addition, the formulation of the article also indicates the existence of a combination of values as the basis for the purpose of punishment. The foundation leads to justice that is to be achieved by combining positive values and living values in society.¹⁴ The purpose of punishment contained in the National Criminal Code is a comprehensive formulation based on the values used and the theory applied. The theory of punishment that has been known so far is absolute theory, relative theory and combined theory, but if it is considered in its development, the current punishment will be identical to the combined theory.¹⁵ Thus, the purpose of criminalization in the National Criminal Code has actually tried to adapt and accommodate the current theoretical developments, but the most important part lies in the value used as the basis for realizing justice.

Positive values in the purpose of criminalization can be understood as the value of justice based on the provisions of applicable laws and regulations. This value, if associated with the purpose of punishment in Article 51 of the National Criminal Code, is contained in efforts to prevent the commission of criminal acts by enforcing legal norms for the protection and protection of the community, as well as socializing convicts by providing guidance and guidance to become good and useful people. The next value is a living mind, this value in the formulation of the purpose of punishment can in principle be understood as the value of justice that comes from a society that has grown and developed from generation to generation.¹⁶ The true value in the formulation of Article 51 has been reflected in the purpose of resolving conflicts caused by criminal acts, restoring balance, and bringing a sense of security and peace in society, as well as fostering a sense of remorse and releasing guilt in the convict. The reflection of the living value of the two purposes of punishment in principle comes from the implied meaning. Thus, the formulation of the purpose of punishment in Article 51 of the National Criminal Code is in principle more dominated by positive values to be the foundation of justice.

Justice is essentially something abstract, so it is undeniable that there are various theories, types, and forms of justice.¹⁷ The justice contained in criminal law will be in line with the stream and values used. Previous explanations have emphasized that justice in the National Criminal Code regarding the purpose of punishment is dominated by positive values. This shows that justice in Indonesian criminal law will be greatly influenced by provisions and views derived from laws and regulations that are identical to legal certainty. The statement can contain something contradictory if it is associated with the idea of balance in the reform of the criminal law to combine positive values with living values. Consequently, the justice that develops in Indonesian criminal law through a paradigm shift from retributive justice to corrective, rehabilitative and restorative justice will always be based on positive values that are synonymous with legal certainty.

¹⁴ Eddy O. S. Hiariej and Topo Santoso, *Anotasi KUHP Nasional* (Depok: Rajawali Pers, 2025).

¹⁵ Syarif Saddam Rivanie et al., "Perkembangan Teori-Teori Tujuan Pemidanaan," *Halu Oleo Law Review* 6, no. 2 (September 2022): 176-88, <https://doi.org/10.33561/HOLREV.V6I2.4>.

¹⁶ Ferry Herlius, "Kaidah Hukum Adat Dalam Penuntutan Demi Keadilan Berbasis Kearifan Lokal," *Perspektif* 27, no. 2 (2022), <https://doi.org/10.30742/PERSPEKTIF.V27I2.831>.

¹⁷ Bahder Johan Nasution, "Kajian Filosofis tentang Hukum dan Keadilan dari Pemikiran Klasik Sampai Pemikiran Modern," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 11, no. 2 (2016): 247-74, <https://doi.org/10.19105/al-ihkam.v11i2.936>.

Justice and legal certainty are part of the legal goals that must be achieved, but there are fundamental things that make the two contradictory.¹⁸ This can be influenced by differences in the value base and the point of view used. Justice is actually synonymous with the values that live in society, this is based on the fact that justice is abstract and judging that justice must actually be seen from the welfare that is realized to provide satisfaction for the community.¹⁹ Legal certainty is more synonymous with positive values that prioritize regulation in writing, so that there will be a coercive nature inherent in it, and the point of view in legal certainty focuses on everything that can be predicted.²⁰ This description, if it is associated with the purpose of punishment in the National Criminal Code, will explain the dynamics and problems that occur in it, especially related to the foundation of justice values that seek to combine positive values with living legal values.

Efforts to understand the dynamics and problems related to the foundation of justice values contained in the purpose of punishment in the National Criminal Code can be done by analyzing the types of justice contained in its formulation. The formulation in question is the four things contained in the purpose of the penalty, so the explanation below can be observed.

- a. The first formulation explains the existence of elements of criminal prevention and law enforcement, so that from these elements it provides an explanation of the existence of preventive and repressive forms, then in this case it leads to rehabilitative justice for its preventive form and retributive justice for its repressive form.
- b. The second formulation explains the existence of an element of coaching and guidance specifically for convicts (perpetrators), this directs the existence of a special form of prevention given to the perpetrators of criminal acts, so that it will be synonymous with rehabilitative justice.
- c. The third formulation explains the existence of elements of conflict resolution, restoration of balance and protection of the community, the elements of this third formulation are actually the most important part of the purpose of punishment, this is based on the fact that in this formulation there are 3 (three) forms of justice that are very identical to living values, namely corrective justice, restorative justice and substantial justice.
- d. The fourth formulation, explaining the existence of the element of regret and guilt, this element is very attention-grabbing because it will be related to the beliefs held by each individual (perpetrator), thus if it is associated with the paradigm of justice in criminal law so far, then there is nothing relevant to fulfill these elements, but this is in harmony when it is connected to transcendent justice.

The above descriptions have shown that there is a foundation of justice values contained in the construction of the purpose of punishment in the National Criminal Code. Criminal law reform seeks the concept of the idea of balance included in the purpose of punishment, so that there is an effort to combine positive values with living values in society. The reality is that there is a dominance of positive values to underline the construction of the purpose of the National Criminal Code in determining the justice to be realized. This condition was created because there was no further explanation regarding the purpose of the punishment formulated in Articles 51 and 52 of the National Criminal Code, so that the interpretation and interpretation of the formulation will be shackled by the values and viewpoints that have been attached to criminal law so far. The impact that occurs then is the potential for disparities in interpretation and

¹⁸ Renaldy Afriyanto et al., "Eksistensi Asas Kepastian Hukum, Kemanfaatan Hukum Dan Keadilan Hukum Sebagai Tujuan Hukum Di Indonesia Dalam Perspektif Para Filsuf," *Unizar Law Review* 7, no. 2 (2024): 203–11, <https://doi.org/10.36679/ulr.v7i2.80>.

¹⁹ H. A. Malthuf Siroj and Ismail Marzuki, "Penegakan Hukum Progresif: Upaya Mewujudkan Keadilan Substantif," *Hakam : Jurnal Kajian Hukum Islam Dan Hukum Ekonomi Islam* 1, no. 2 (2017), <https://doi.org/10.33650/JHI.V1I2.76>.

²⁰ Nyoman Gede Remaja, "Makna Hukum Dan Kepastian Hukum," *Kertha Widya* 2, no. 1 (2014), <https://doi.org/10.37637/KW.V2I1.426>.

application, and what is most worried is that it cannot meet the value of justice according to the needs and desires of the community.

2. Constructing a Prophetic Basis for Transcendent Justice within the Purposes of Punishment

The reform of the criminal law through the National Criminal Code has emphasized that the current Indonesian criminal law system has its own goals to be achieved in carrying out punishment.²¹ Looking at the formulation listed in Articles 51 and 52 of the National Criminal Code, it shows that there is a difference with the purpose of criminalization that has been developing in criminal law. Developments so far related to the purpose of punishment are still shackled by positivistic and sociological views. It is based on the schools and theories used, such as the classical school which is identical to the absolute theory to determine the retributive goal, the modern school which is identical to the relative theory to determine the utilitarian goal and the neo-classical school which is identical to the combined theory to determine the purpose of punishment by combining the two previous goals. In contrast to the previous goals, the purpose of punishment contained in the National Criminal Code has a different view when studied using a philosophical foundation.²²

The purpose of punishment in the National Criminal Code has been to combine positive values with living values, although when viewed in the formulation it has not shown clarity. This is the basis for understanding the formulation of the purpose of punishment is not only limited to positivistic and sociological studies, but it is necessary to pursue philosophical studies. One of the relevant studies in this regard is to use the study of prophetic law that seeks to integrate the ethical-transcendent dimension, especially those rooted in divine or divine values into the legal system.²³ The study of prophetic law is not only limited to the theologizing of law that uses religious norms above state law, but an attempt to determine a deeper school of thought to determine justice as the main goal of law. The foundation of prophetic thought affirms that true justice and the civilization of law should rest on universal moral principles that are believed to have a transcendent source.²⁴

The study of prophetic law cannot be separated from the idea of prophetic social science introduced by Kuntowijoyo. The idea was influenced by 2 (two) great thinkers, namely Muhammad Iqbal (a Muslim thinker) and Roger Garaudy (a French thinker who later converted to Islam). Muhammad Iqbal had a thought about **prophetic ethics**, which was inspired by the *mi'raj* event of the Prophet Muhammad PBUH. Based on this event, Muhammad Iqbal had the mind that if the Prophet Muhammad PBUH was a mystic or Sufi, then the Prophet Muhammad PBUH would never return to the earth, because he had found comfort and happiness in being by the side of Allah. However, what happened was that he returned to earth to move social change and build the course of history and civilization of mankind based on his prophetic ideals (prophethood). This then distinguishes the prophet from the path of a mystic who is satisfied with his own achievements. The Sunnah of the Prophet is thus called by Muhammad Iqbal as prophetic ethics.²⁵

Roger Graudy's thinking was more directed towards the idea of **prophetic philosophy**. According to him, western philosophy does not provide satisfaction because it only floats between 2 (two) camps, namely idealism and materialism, without any definite ending. Western philosophy is dominated by the question "how is such knowledge possible?", whereas according to Graudy it is more relevant by asking the question of "how is revelation possible?". Graudy

²¹ Muhammad Ramadhan and Dwi oktafia ariyanti, "Tujuan Pemidanaan Dalam Kebijakan Pada Pembaharuan Hukum Pidana Indonesia."

²² Kusuma, "Tujuan Dan Pedoman Pemidanaan Dalam Pembaharuan Sistem Pemidanaan Di Indonesia."

²³ Romi Saputra, "Membangun Paradigma Ilmu Hukum Profetik Perspektif Ushulul 'Isyirin," *Menara Ilmu : Jurnal Penelitian dan Kajian Ilmiah* 15, no. 2 (2021), <https://doi.org/10.31869/mi.v15i2.2789>.

²⁴ Fatichatul Azekiyah Syafridah, "Implementasi Constitutional Question Dalam Perspektif Paradigma Hukum Profetik," *Al-Balad: Journal of Constitutional Law* 2, no. 2 (2020).

²⁵ M. Syamsudin, *Pidato Pengukuhan Guru Besar - Berhukum Profetik Di Tengah Kalatidha* (Yogyakarta: Universitas Islam Indonesia, 2022). 7.

emphasized that western philosophy has eliminated the harmonization between God and man, so that it can lead to the destruction of human civilization. Furthermore, Roger Graudy explained that mankind should use the prophetic philosophy of Islam by recognizing revelation as the source of human knowledge. Thus, prophetic philosophy emphasizes that the position of revelation must be the basis or source of knowledge and guidelines for human life so that the destruction of civilization does not materialize.²⁶

The research of Muhamamd Iqbal and Roger Graudy related to the use of prophetic terms is what influenced Kuntowijoyo to provide an idea of prophetic social science. Prophetic social science differs from other social sciences, both in academic and critical thinking that only explains and changes social phenomena in the abstract, but prophetic social science also provides clues as to what the transformation is carried out, for what and by whom. This idea is not limited to changing for the sake of change but changing based on certain ethical and prophetic ideals. Thus, prophetic social science will provide the value of the ideals of change that are desired and needed by society. Kuntowijoyo also explained that the change is a change based on the ideals of humanization, liberation and transcendence.²⁷

The ideals of humanization, liberation and transcendence are basically a teaching contained in the mission of Islamic travel and contained in the Qur'an, namely Surah al-Imran verse 110. The passage in the verse explains that "*you are the best people born among mankind to uphold goodness, prevent evil and believe in Allah*". The relationship of the verse fragment with the three ideals or pillars of prophetic social science is that *amar ma'ruf* is revealed to humanization, *nahi munkar* is revealed to liberation and *tukminuna billah* is revealed to transcendence.²⁸ Thus, prophetic social science seeks to integrate the three pillars in making changes to human life, but Kuntowijoyo emphasizes that transcendence must be the foundation for the other two pillars.²⁹ The affirmation given by Kuntowijoyo can be understood that in realizing humanization and liberation, it must not be separated from the transcendence or the main source, namely God's revelation as a form of value.

The development of Kuntowijoyo's prophetic social science ideas was then clarified by Heddy Shri Ahimsa Putra by building the concept of prophetic paradigm. He provides an initial overview of prophetic epistemology which includes the basic assumptions, ethos, and models that are the basis for it.³⁰ Based on the developments that have been made by Heddy Shri Ahimsa Putra, the idea of prophetic law has emerged. History in the development of prophetic law is the impact of the development of legal science which is currently far from the value and loss of justice in law enforcement. Law has always been considered a value-free tool, so there is no definitive benchmark in its enforcement. This phenomenon occurs because there is no balance between the potential of reason and heart when running the legal and criminal systems. The dominance of reason in legal education and teaching has resulted in a positivist viewpoint influenced by dogmas, thus producing legal scholars who are passionate about the use of conscience and will increasingly distance themselves from the needs of the public.³¹

The positive legal view only focuses on the established law, so that law enforcement only becomes an instrumentalist tool (funnel of the law) and is unable to explore and be progressive. Furthermore, positive law also abolishes the laws that live in society. The "texts" in the law book become something sacred and considered logical, even though the reality that occurs is that there are many "buying and selling" articles carried out by irresponsible individuals. A major weakness and evaluation in the view of positive law is when the phrase "courts are used as safe havens for criminals". This phenomenon is very concerning, but the main cause is the intentional or

²⁶ Ibid.

²⁷ M. Syamsudin, *Ilmu Hukum Profetik, Gagasan Awal, Landasan Kefilsafatan Dan Kemungkinan Pengembangannya Di Era Postmodern* (Yogyakarta: FH UII Press, 2013). 16.

²⁸ Ibid.

²⁹ Ash-shidiqqi, "Meneropong Ilmu Hukum Profetik."

³⁰ Syamsudin, *Ilmu Hukum Profetik, Gagasan Awal, Landasan Kefilsafatan Dan Kemungkinan Pengembangannya Di Era Postmodern*. Op.Cit., 77.

³¹ Jawahir Thontowi, "Paradigma Profetik Dalam Pengajaran Dan Penelitian Ilmu Hukum," *Unisia* 34, no. 76 (2012).

unintentional attempts to distance themselves from spiritual truth by scientists and law enforcers on the grounds that the section is theological or religious territory.³²

Ijtihad is one of the concepts in Islam that motivates to think about laws with a prophetic paradigm. This concept is an example of using the ability of reason broadly by being guided by the Qur'an and hadith in answering many things. The prophetic paradigm provides an explanation related to the importance of placing religious teachings in the historical development of the formation of legal thought. The conditions that occur because of the capitalistic and positivistic paradigms have given birth to laws without knowledge and only favor certain groups and provide misery for other parties. The position of religion in this case is important, especially to restructure the mindset of legal education and teaching. Religion as a whole is the culture that is the foundation of the value system and is specifically related to the universal values of truth, namely justice.³³ In addition, religion has a very important role in people's lives, especially in the field of law, before the existence of the state, the community will follow the provisions or laws of religion as guidelines and be used as a living law in society.³⁴

Based on the above explanation of prophetic law, if you look at it at first glance, it has similarities with the progressive law initiated by Satjipto Rahardjo. The similarity that can be seen is the spirit to direct the development of law towards a certain goal or it can be said that there is an ethical perspective and in ethics it is referred to as teleological ethics.³⁵ However, if we look more deeply, there is a difference where progressive law is more directed to the law for man, while the prophetic law emphasizes the law for man by being based on revelation.³⁶ Thus, the prophetic foundation in determining transcendent justice contained in the purpose of criminalizing the National Criminal Code will be greatly influenced by belief in the source of revelation as a manifestation of divine or divine values.

The implementation of prophetic foundations in the context of criminal law, especially about criminalization, will provide an impetus to make a shift in the paradigm of the purpose of punishment. This shift means that punishment does not simply achieve pragmatic goals (retributive, rehabilitative, corrective or restorative) but shifts towards the search for justice that goes beyond human rationality, namely a justice that is divine or can be called transcendent justice. The prophetic foundation is not only limited to moving religious doctrine into the realm of positive law, but rather the withdrawal of the essence of the values of justice, humanity and universal truth that are believed to come from divine power. This thinking is an attempt to instill "spirit" into the framework of criminal law that is synonymous with positivism, so that the law does not dry up from the moral and spiritual dimensions. This will strengthen the prophetic essence by affirming that the legitimacy of the law does not only come from formal procedures, but also from the substance of its profound justice.³⁷

Prophetic legal thinking by adopting Kuntowijoyo's statement in the context of prophetic sociology, will emphasize the importance of the transcendental dimension in the formulation and enforcement of law, which includes the values of humanization, liberation, and transcendence.³⁸ Humanization means that law must humanize human beings, liberation means that law must liberate from oppression, and transcendence means that law must transcend mere worldly interests toward a higher truth. If this thinking is personalized to the enforcement of criminal law

³² Ash-shidiqqi, "Meneropong Ilmu Hukum Profetik."

³³ Thontowi, "Paradigma Profetik Dalam Pengajaran Dan Penelitian Ilmu Hukum."

³⁴ I. Ketut Wiana, "'Sad Kertih': Sastra Agama, Filosofi, Dan Aktualisasinya," *Jurnal Bali Membangun Bali* 1, no. 3 (2018), <https://doi.org/10.51172/JBMB.V1I3.29>.

³⁵ Bernard L. Tanya, Yoan N. Simanjuntak, and Markus Y. Hage, *Teori Hukum Strategi Tertib Manusia Lintas Ruang Dan Generasi* (Yogyakarta: Genta Publishing, 2019), 192.

³⁶ K. Wardoyo, *Ilmu Hukum Profetik, Hamparan Basis Epistemologi Paradigmatik* (Surakarta: Muhammadiyah University Press, 2020).

³⁷ Absori and Gamal Abdul Nasir, *Pemikiran Hukum Profetik Ragam Paradigma Menuju Hukum Berketuhanan* (Yogyakarta: Ruas Media, 2018).

³⁸ Kuntowijoyo, *Islam Sebagai Ilmu, Epistemologi, Metodologi, Dan Etika* (Yogyakarta: Tria Wacana, 2007), 105-110.

in achieving the goals of the National Criminal Code, then the pattern that will be composed is as follows:³⁹

- a. Law enforcers must transform abstract laws into concrete ones.
- b. Law enforcers must transform ideological laws into science, ideologies are subjective, normative and closed. In contrast to science that is open, objective and factual.
- c. Law enforcers must transform themselves subjectively into objective problems. The change from subjective to objective is the ideal of law enforcement which has been shackled by the subjective nature of law enforcement, but the law enforcement has not objectified the cases it handles.

The personalization of law enforcement, if linked to the purpose of punishment in Article 51 of the National Criminal Code based on prophetic legal studies, will provide a critical and constructive assessment. This can be explained as follows:

- a. *First*, regarding the purpose of crime prevention and law enforcement (Article 51 letter a), the prophetic foundation urges that it be interpreted not only sociologically-empirically, but also ethically-transcendently. This means the values of justice, honesty, compassion, and respect for life that are believed to come from God, therefore must be the moral foundation in the prevention of crime and law enforcement. When the law is established on the foundation of prophetic values, crime prevention is not only coercive, but also persuasive through the internalization of solid moral values in society. The law in this view is a manifestation of the divine will to create a harmonious and just legal order and society.⁴⁰
- b. *Second*, the purpose of coaching and guiding convicts by maintaining their rights and dignity (Article 51 letter b) is very much in line with the principle of humanization in prophetic law. The prophetic dimension demands that the inmate who has made a mistake is still a human being who has dignity and the potential to change. Punishment should not destroy their humanity, but should be a means of correction and restoration, like the concept of *repentance* in the Islamic tradition, penance in the Christian tradition or the principle of *mulat sarira* and *karma phala* in Hinduism, which emphasizes the potential for forgiveness and second chances. The court should consider not only the crime committed, but also the causative factors, socio-economic background, and potential rehabilitation of the perpetrator.⁴¹ Thus, the prophetic foundation would encourage this consideration to be elevated to a more explicit doctrinal level, not only as a judge's discretion, but as a legal moral imperative on the basis of Divine belief.
- c. *Third*, the goal of conflict resolution, restoration of balance and protection of society (Article 51 letter c) is closely related to the principle of prophetic liberation and transcendence. Restorative justice, which is at the heart of this goal, is prophetically interpreted as an attempt to restore harmony damaged by evil, not only at the horizontal level between human beings, but also at the vertical level in relation to Godhead values. This goal is also in line with the spirit of restoring cosmic balance related to the real world (*sekala*) and the realm of belief (*niskala*).⁴² Restoring social balance and a sense of peace requires acknowledgment of wrongdoing, apologies, and just compensation, but more than that it requires *spiritual reconciliation*. This means the recognition that evil not only violates human law but also violates the

³⁹ Kuntowijoyo, *Identitas Politik Umat Islam* (Bandung: Mizan, 1997).

⁴⁰ Zainal Aripin Purba, "Kehendak Mutlak Tuhan Dan Keadilannya Analisa Perbandingan Antar Aliran," *Yurisprudencia: Jurnal Hukum Ekonomi* 2, no. 1 (2016): 99-107.

⁴¹ Muhammad Fatahillah Akbar, "Pembaharuan Keadilan Restoratif Dalam Sistem Peradilan Pidana Indonesia," *Masalah-Masalah Hukum* 51, no. 2 (2022): 199-208.

⁴² I. Dewa Made Suartha, *Hukum Dan Sanski Adat: Perspektif Pembaharuan Hukum Pidana* (Malang: Setara Press, 2015).

moral order of the universe that is believed to originate from God. Judges, in a prophetic perspective, are not only law enforcers, but also agents of peace who seek to restore *fiṭrah* or human nature that tends to goodness.⁴³

- d. *Fourth*, the purpose of repentance and liberation from guilt (Article 51 letter d) is a manifestation of the prophetic hope of transformation. The correction in question, from a prophetic perspective, is not just physical punishment or imprisonment, but an effort to educate and guide the perpetrator to realize his mistakes and return to the right path. This is part of the principle of transcendence, where punishment does not just stop at retribution, but is directed at improving the moral and spiritual qualities of the perpetrator.⁴⁴ *Non omne quod licet honestum est* (not all acts permitted by law are proper, moral or ethically proper), this adage reminds that within the limits of legality, there are ethical dimensions that must be considered, especially in shaping the character and morals of the perpetrator.⁴⁵ This goal is the result of the second formulation, which is related to the process of repentance of the convict through punishment, so that the prophetic foundation will be constructed to make the convict a human being in accordance with his nature.

The above explanation has provided an explanation that the implementation of the prophetic foundation in knitting the construction of the purpose of punishment with transcendent justice does not mean ignoring the rationality of the law. The efforts made will enrich this rationality by adding moral and spiritual dimensions. This is very relevant for the Indonesian criminal law system which cannot be separated from Pancasila as the ideology and philosophy of state life.⁴⁶ The first precept in Pancasila has affirmed the existence of divine values that will underlie other values, namely humanity, unity, deliberation and justice.⁴⁷ If it is considered, it is related to the value of justice, which will be based on the value of Godhead, so that this will be in line with the transcendent justice contained in the prophetic foundation to determine the construction of the purpose of punishment.

The purpose of criminalization in the National Criminal Code is influenced by the expansion of the principle of legality by providing space for the law that is alive will always intersect with the prophetic foundation. The values that live in society should be interpreted teleologically to include the values of belief or prophetic values that come from revelation. This is related to one of the universal qualities inherent in every law that lives in society, namely the magical-religious nature.⁴⁸ Consequently, such interpretation must be done carefully to avoid potential ambiguity and susceptibility to subjectivity. The construction offered by the prophetic foundation is to affirm that the values that live in society are not only limited to customary values and local wisdom but fundamentally include universal moral principles that are believed to be transcendent forms and become the ethical foundation for the value of justice.

The application of prophetic foundations for the purpose of punishment contained in the National Criminal Code can also prevent punishment that is too retributive and inhumane. Transcendent justice will always reject tyrannical, discriminatory and exploitative punishment, because it is contrary to the essence of punishment that comes from Divine revelation. The implication of this is the formation of a penal system that not only aims to tackle crime but will

⁴³ Syaifullahil Maslul, "Menakar Putusan Mahkamah Konstitusi Nomor 90/PUU-XXI/2023 Dalam Perspektif Hukum Profetik," *Jurnal Hukum IUS QUIA IUSTUM* 32, no. 1 (2025): 99-120, <https://doi.org/10.20885/iustum.vol32.iss1.art5>.

⁴⁴ Bayu Setiawan, "Penerapan Hukum Progresif Oleh Hakim Untuk Mewujudkan Keadilan Substantif Transendensi," *Kosmik Hukum* 18, no. 1 (2018), <https://doi.org/10.30595/kosmikhukum.v18i1.2338>.

⁴⁵ Renaldi Faturachman, Dava Muhammad Rizki, and Salman Al Faridzi, "Dimensi Moralitas Terhadap Hukum," *IBLAM LAW REVIEW* 2, no. 3 (2022): 1-11.

⁴⁶ Hariyanto Hariyanto, "Pembangunan Hukum Nasional Berdasarkan Nilai-Nilai Pancasila," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 1, no. 1 (2018), <https://doi.org/10.24090/VOLKSGEIST.V1I1.1731>.

⁴⁷ Marshandha Della Ardhani et al., "Implementasi Nilai-Nilai Pancasila Dalam Kehidupan Sehari-Hari," *Gema Keadilan* 9, no. 2 (2022): 81-92.

⁴⁸ Laurensius Arliman, "Hukum Adat Di Indonesia Dalam Pandangan Para Ahli Dan Konsep Pemberlakuannya Di Indonesia," *Jurnal Selat* 5, no. 2 (2018): 177-90, <https://doi.org/10.31629/SELAT.V5I2.320>.

lead to ethical and spiritual forms of punishment. The construction of a prophetic foundation in the purpose of criminalizing the National Criminal Code is not only an intellectual imagination, but a moral imperative to build a better Indonesian criminal law system. Thus, when the prophetic foundation is ignored, the purpose of the National Criminal Code has the potential to lose its philosophy in accordance with the philosophy of the state and only become a technical device that is empty of the meaning of transcendent justice.

V. Conclusion

The reform of the criminal law through the National Criminal Code is a progressive step that should be appreciated, especially in expanding the scope of legality principles and formulating more comprehensive penal goals. The value foundation in the purpose of punishment in the National Criminal Code, inherently, reflects the synthesis of various theories of punishment, ranging from retributive, preventive, rehabilitative, to restorative. The influence of values that live in society as an implication of the expansion of the principle of legality provides a new paradigm towards the recognition of the non-positivistic dimension in criminal law, especially related to criminality. However, there are epistemological gaps and potential disparities in interpretation of these influences, which tend to be interpreted sociologically-empirically without delving into essential philosophical and spiritual depths.

The prophetic foundation offers a crucial analytical knife to fill that void. By placing the law on an ethical-transcendent dimension, prophetic law assesses the purpose of punishment in the National Criminal Code as an arena in which divine justice and universal morality can be systematically integrated. The prophetic goal of punishment does not only dwell on pragmatic effects but leads to the search for transcendent justice that transcends the limits of human rationality. This implies that "the values that live in society" must be interpreted to include "values of belief" or universal moral principles believed to be sourced from God, which are then manifested in the humanization of the doer, liberation from oppression, and transcendence toward truth.

Efforts to knit a prophetic foundation for transcendent justice in the construction of the penal goals of the National Criminal Code can be made by affirming that the influence of living values in society will always include prophetic principles. This will strengthen the moral legitimacy of criminal law, guide judges to not only be law enforcers but guardians of noble values, as well as encourage more humane, proportional, and oriented criminal practices toward the restoration of cosmic balance related to the real world (*sekala*) and the realm of belief (*niskala*). Thus, the construction of the purpose of punishment in the National Criminal Code can be an instrument that not only punishes, but also educates, restorations, and ultimately, brings Indonesian people closer to the ideals of complete justice based on the One Godhead.

References

- Absori, and Gamal Abdul Nasir. *Pemikiran Hukum Profetik Ragam Paradigma Menuju Hukum Berketuhanan*. Yogyakarta: Ruas Media, 2018.
- Afriyanto, Renaldy, Ainur Gufron, Ahmad Syauqi Bawashir, and Rahmad Ready Kurniawan. "Eksistensi Asas Kepastian Hukum, Kemanfaatan Hukum Dan Keadilan Hukum Sebagai Tujuan Hukum Di Indonesia Dalam Perspektif Para Filsuf." *Unizar Law Review* 7, no. 2 (2024): 203–11. <https://doi.org/10.36679/ulr.v7i2.80>.
- Akbar, Muhammad Fatahillah. "Pembaharuan Keadilan Restoratif Dalam Sistem Peradilan Pidana Indonesia." *Masalah-Masalah Hukum* 51, no. 2 (2022): 199–208.
- Ardhani, Marshandha Della, Irma Utaminingsih, Izzati Ardana, and Riska Andi Fitriyono. "Implementasi Nilai-Nilai Pancasila Dalam Kehidupan Sehari-Hari." *Gema Keadilan* 9, no. 2 (2022): 81–92.

- Arief, Barda Nawawi. *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru*. Jakarta: Kencana, 2017.
- Arliman, Laurensius. "Hukum Adat Di Indonesia Dalam Pandangan Para Ahli Dan Konsep Pemberlakuannya Di Indonesia." *Jurnal Selat* 5, no. 2 (2018): 177-90. <https://doi.org/10.31629/SELAT.V5I2.320>.
- Ash-shidiqqi, Ellectrananda Anugerah. "Meneropong Ilmu Hukum Profetik: Penegakan Hukum Yang Berketuhanan." *Amnesti: Jurnal Hukum* 2, no. 1 (2020).
- Diantha, I. Made Pasek. *Metodologi Penelitian Hukum Normatif Dalam Justifikasi Teori Hukum*. Jakarta: Prenada Media Group, 2017.
- Faturachman, Renaldi, Dava Muhammad Rizki, and Salman Al Faridzi. "Dimensi Moralitas Terhadap Hukum." *IBLAM LAW REVIEW* 2, no. 3 (2022): 1-11.
- Hariyanto, Hariyanto. "Pembangunan Hukum Nasional Berdasarkan Nilai-Nilai Pancasila." *Volkgeist: Jurnal Ilmu Hukum Dan Konstitusi* 1, no. 1 (2018). <https://doi.org/10.24090/VOLKSGEIST.V1I1.1731>.
- Hartanto, Hartanto. "Fenomena Penerapan Hukum Pidana Modern Tahun 2026." *Al-Adl : Jurnal Hukum* 16, no. 2 (2024): 58-75.
- Herlius, Ferry. "Kaidah Hukum Adat Dalam Penuntutan Demi Keadilan Berbasis Kearifan Lokal." *Perspektif* 27, no. 2 (2022). <https://doi.org/10.30742/PERSPEKTIF.V27I2.831>.
- Hiariej, Eddy O. S., and Topo Santoso. *Anotasi KUHP Nasional*. Depok: Rajawali Pers, 2025.
- Ihsan, Muhammad Hairul. "Konstruksi Hakikat Hukum Islam Dalam Perspektif Filsafat Hukum: Integrasi Dimensi Transendental, Moral, Dan Sosial." *Mitsaqan Ghalizan* 5, no. 1 (2025): 15-27.
- Irmawati, Noveria Devy, and Barda Nawawi Arief. "Urgensi Tujuan Dan Pedoman Pemidanaan Dalam Rangka Pembaharuan Sistem Pemidanaan Hukum Pidana." *Jurnal Pembangunan Hukum Indonesia* 3, no. 2 (2021).
- Kaharuddin, Riski Elan Marhaendra, Timothy Johan Putra, and Muhammad Alif Dzaky Mediansyah. "Perbandingan Substansi Hukum Pidana Antara KUHP Baru Dengan KUHP Lama: Dekolonisasi, Demokratisasi, Dan Pemenuhan Hak Asasi Manusia." *Jurnal Riksa Cendikia Nusantara* 1, no. 4 (2025): 1-9.
- Kuntowijoyo. *Identitas Politik Umat Islam*. Bandung: Mizan, 1997.
- — —. *Islam Sebagai Ilmu, Epistemologi, Metodologi, Dan Etika*. Yogyakarta: Tria Wacana, 2007.
- Kusuma, Jauhari D. "Tujuan Dan Pedoman Pemidanaan Dalam Pembaharuan Sistem Pemidanaan Di Indonesia." *Muhakkamah* 1, no. 2 (2016).
- Maslul, Syaifullahil. "Menakar Putusan Mahkamah Konstitusi Nomor 90/PUU-XXI/2023 Dalam Perspektif Hukum Profetik." *Jurnal Hukum IUS QUIA IUSTUM* 32, no. 1 (2025): 99-120. <https://doi.org/10.20885/iustum.vol32.iss1.art5>.
- Muhammad Ramadhan and Dwi oktafia ariyanti. "Tujuan Pemidanaan Dalam Kebijakan Pada Pembaharuan Hukum Pidana Indonesia." *Jurnal Rechten : Riset Hukum Dan Hak Asasi Manusia* 5, no. 1 (2023).
- Nasution, Bahder Johan. "Kajian Filosofis tentang Hukum dan Keadilan dari Pemikiran Klasik Sampai Pemikiran Modern." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 11, no. 2 (2016): 247-74. <https://doi.org/10.19105/al-lhkam.v11i2.936>.
- Purba, Zainal Aripin. "Kehendak Mutlak Tuhan Dan Keadilannya Analisa Perbandingan Antar Aliran." *Yurisprudencia: Jurnal Hukum Ekonomi* 2, no. 1 (2016): 99-107.

- Putri, Nella Sumika. "Memikirkan Kembali Unsur 'Hukum Yang Hidup Dalam Masyarakat' Dalam Pasal 2 RKUHP Ditinjau Perspektif Asas Legalitas." *Indonesian Criminal Law Review* 1, no. 1 (2021).
- Rahardjo, Satjipto. *Penegakan Hukum Progresif*. Jakarta: Penerbit Buku Kompas, 2010.
- Remaja, Nyoman Gede. "Makna Hukum Dan Kepastian Hukum." *Kertha Widya* 2, no. 1 (2014). <https://doi.org/10.37637/KW.V2I1.426>.
- Rivanie, Syarif Saddam, Syamsuddin Muchtar, Audyna Mayasari Muin, A. M. Djaelani Prasetya, and Ali Rizky. "Perkembangan Teori-Teori Tujuan Pemidanaan." *Halu Oleo Law Review* 6, no. 2 (September 2022): 176–88. <https://doi.org/10.33561/HOLREV.V6I2.4>.
- Saputra, Romi. "Membangun Paradigma Ilmu Hukum Profetik Perspektif Ushulul 'Isyirin." *Menara Ilmu : Jurnal Penelitian dan Kajian Ilmiah* 15, no. 2 (2021). <https://doi.org/10.31869/mi.v15i2.2789>.
- Setiawan, Bayu. "Penerapan Hukum Progresif Oleh Hakim Untuk Mewujudkan Keadilan Substantif Transendensi." *Kosmik Hukum* 18, no. 1 (2018). <https://doi.org/10.30595/kosmikhukum.v18i1.2338>.
- Siroj, H. A. Malthuf, and Ismail Marzuki. "Penegakan Hukum Progresif: Upaya Mewujudkan Keadilan Substantif." *Hakam : Jurnal Kajian Hukum Islam Dan Hukum Ekonomi Islam* 1, no. 2 (2017). <https://doi.org/10.33650/JHI.V1I2.76>.
- Suartha, I. Dewa Made. *Hukum Dan Sanski Adat: Perspektif Pembaharuan Hukum Pidana*. Malang: Setara Press, 2015.
- Suwandi, Suwandi, and Teguh Setyobudi. "Sintesa Hukum Islam dan Kebudayaan Jawa Suatu Pendekatan Profetik." *De Jure: Jurnal Hukum dan Syari'ah* 12, no. 2 (2020).
- Syafridah, Fatichatul Azekiyah. "Implementasi Constitutional Question Dalam Perspektif Paradigma Hukum Profetik." *Al-Balad: Journal of Constitutional Law* 2, no. 2 (2020).
- Syamsudin, M. *Ilmu Hukum Profetik, Gagasan Awal, Landasan Kefilsafatan Dan Kemungkinan Pengembangannya Di Era Postmodern*. Yogyakarta: FH UII Press, 2013.
- — —. *Mahir Meneliti Permasalahan Hukum*. Jakarta: Kencana, 2021.
- — —. *Pidato Pengukuhan Guru Besar - Berhukum Profetik Di Tengah Kalatidha*. Yogyakarta: Universitas Islam Indonesia, 2022.
- Tanya, Bernard L., Yoan N. Simanjuntak, and Markus Y. Hage. *Teori Hukum Strategi Tertib Manusia Lintas Ruang Dan Generasi*. Yogyakarta: Genta Publishing, 2019.
- Thontowi, Jawahir. "Paradigma Profetik Dalam Pengajaran Dan Penelitian Ilmu Hukum." *Unisia* 34, no. 76 (2012).
- Wardoyo, K. *Ilmu Hukum Profetik, Hamparan Basis Epistemologi Paradigmatik*. Surakarta: Muhammadiyah University Press, 2020.
- Wiana, I. Ketut. "'Sad Kertih': Sastra Agama, Filosofi, Dan Aktualisasinya." *Jurnal Bali Membangun Bali* 1, no. 3 (2018). <https://doi.org/10.51172/JBMB.V1I3.29>.