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## Reconstructing Contemporary Legal Methodology through the Noetic Triadic Spiral Model: A Trans-Epistemological Perspective

**Abstract:** This study aims to reconstruct contemporary legal methodology by proposing the Noetic Triadic Spiral Model as a trans-epistemological framework that integrates revelation (*wahy*), reason (*aql*), and empirical reality (*wāqī*) in a dynamic and iterative structure. The research responds to the growing epistemic fragmentation between normative-textual approaches and socio-empirical legal reasoning in contemporary Islamic legal thought. It seeks to formulate a methodological model that bridges classical *uṣūl al-fiqh* with contemporary interdisciplinary demands without undermining its theological foundations. This research employs a qualitative normative-philosophical approach combined with conceptual analysis and critical hermeneutics. Primary sources include classical works of *uṣūl al-fiqh* and modern reformist legal theories, which are analyzed through a comparative-constructive method. The study also incorporates epistemological mapping to identify structural tensions between scriptural authority, rational deliberation, and socio-historical contingencies. Through this approach, the Noetic Triadic Spiral Model is formulated as a spiral (rather than linear) interaction among three epistemic domains, emphasizing continuous reinterpretation, reflexivity, and contextual validation. The findings demonstrate that the proposed model offers a coherent methodological reconstruction that transcends the dichotomy between textualism and contextualism. By conceptualizing legal reasoning as a spiral process of noetic engagement—where revelation provides normative orientation, reason ensures coherence and systematicity, and empirical reality functions as a field of verification—the model strengthens methodological adaptability while preserving doctrinal integrity. The spiral nature ensures that interpretation remains open to revision without collapsing into relativism. The scientific contribution of this study lies in its formulation of a trans-epistemological paradigm that rearticulates legal methodology beyond classical dualisms. It provides a theoretical bridge between traditional jurisprudential structures and contemporary legal challenges, contributing to ongoing debates on reform, renewal (*tajdīd*),

and methodological integration in legal theory. The Noetic Triadic Spiral Model thus offers an innovative framework for rethinking legal reasoning in a plural, complex, and rapidly evolving global context.

**Keywords:** Islamic Legal Methodology; Noetic Triadic Spiral Model; Trans-Epistemological Framework; Usul al-Fiqh.

## INTRODUCTION

The contemporary development of legal thought is marked by an enduring tension between fidelity to classical juristic tradition and responsiveness to rapidly changing social realities. On the one hand, Islamic law (fiqh) derives its normative authority from revelation and the cumulative interpretive heritage of classical scholars.<sup>1</sup> On the other hand, contemporary societies are shaped by unprecedented transformations in technology, governance, economics, and cultural pluralism that challenge inherited legal categories. This tension has generated a methodological crisis: how can legal methodology remain faithful to its theological foundations while simultaneously engaging constructively with modern epistemic paradigms? The question is not merely practical but epistemological, concerning the structure of knowledge that underlies legal reasoning itself.<sup>2</sup>

Classical *uṣūl al-fiqh*<sup>3</sup> developed a sophisticated framework integrating textual interpretation, rational inference, and analogical reasoning. However, much of its formulation emerged within relatively stable socio-historical contexts.<sup>4</sup> Contemporary issues—ranging from bioethics and digital finance to artificial intelligence and global human rights discourse—present epistemic configurations that differ significantly from those of the formative period.<sup>5</sup> As a result, contemporary Islamic legal scholarship often oscillates

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<sup>1</sup> Hammad Farhan Hammadi et al., 'Contemporary Challenges and the Future of Islamic Law: Toward Ethical and Institutional Renewal', *Al-Daulah : Jurnal Hukum Pidana Dan Ketatanegaraan* 14, no. 1 (June 2025): 43–61, <https://doi.org/10.24252/al-daulah.v14i1.58186>.

<sup>2</sup> Zaprulkhan Zaprulkhan, 'Maqāṣid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda', *Walisongo: Jurnal Penelitian Sosial Keagamaan* 26, no. 2 (December 2018): 445–472, <https://doi.org/10.21580/ws.26.2.3231>.

<sup>3</sup> Laksana, A. W., Huda, M. N., Widodo, H., Iqbal, D. I., & Saefudin, D. C. Fiqh Jinayah's Approach to Children Trapped in the Octopus of Narcotics Trafficking. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 12(1), (2025): 309-321. DOI: <http://dx.doi.org/10.29300/mzn.v12i1.4888>

<sup>4</sup> Nibrosu Rohid et al., 'Digital Activism in Contemporary Islamic Politics: A Critical Analysis of Social Media's Impact on Islamic Movements', *MILRev: Metro Islamic Law Review* 4, no. 1 (April 2025): 208–233, <https://doi.org/10.32332/milrev.v4i1.10159>.

<sup>5</sup> Adrian Blau, 'Social Science and Its Critics: An Ideological Analysis', *Social Philosophy and Policy* 41, no. 1 (June 2024): 158–180, <https://doi.org/10.1017/S0265052524000372>.

between two methodological poles. The first is a textualist orientation that prioritizes scriptural literalism and doctrinal continuity, sometimes at the expense of contextual sensitivity.<sup>6</sup> The second is a contextualist or reformist orientation that emphasizes *maqāṣid* (higher objectives), socio-historical analysis, or interdisciplinary engagement, occasionally risking detachment from foundational sources. The dichotomy between textualism and contextualism reflects a deeper fragmentation between revelation-centered epistemology and modern rational-empirical paradigms.<sup>7</sup>

Several contemporary scholars have attempted to address this fragmentation. The first strand of research focuses on the revitalization of *maqāṣid al-sharī'ah* as a higher-order interpretive principle.<sup>8</sup> This approach emphasizes ethical universals such as justice, welfare, and human dignity, proposing that legal interpretation should be guided by overarching objectives rather than confined to atomistic textual readings. While this contribution successfully expands the horizon of legal reasoning, it often leaves unresolved the structural relationship between *maqāṣid*, textual evidence, and empirical data. The methodological architecture remains under-theorized, particularly regarding how epistemic sources interact dynamically.

A second line of research advances contextual hermeneutics, arguing that Islamic legal texts must be reinterpreted in light of contemporary social sciences and historical criticism.<sup>9</sup> This perspective underscores the importance of socio-historical embeddedness and advocates interdisciplinary engagement. Although it offers valuable insights into the socio-cultural dimensions of law, it sometimes lacks a clear epistemological boundary that safeguards the normative authority of revelation. Critics argue that without a well-defined

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<sup>6</sup> Hammad Farhan Hammadi et al., 'Contemporary Challenges and the Future of Islamic Law: Toward Ethical and Institutional Renewal', *Al-Daulah : Jurnal Hukum Pidana Dan Ketatanegaraan* 14, no. 1 (June 2025): 43-61, <https://doi.org/10.24252/al-daulah.v14i1.58186>.

<sup>7</sup> Suud Sarim Karimullah, 'From Divine Revelation to Legal Practice: Contextualizing Islamic Law in the Contemporary Era', *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 59, no. 1 (June 2025): 36-47, <https://doi.org/10.14421/ajish.v59i1.1336>.

<sup>8</sup> Muhammad Harfin Zuhdi and Mohamad Abdun Nasir, 'Al-Mashlahah and Reinterpretation of Islamic Law in Contemporary Context', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (October 2024): 1818-1839, <https://doi.org/10.22373/sjhk.v8i3.24918>.

<sup>9</sup> 'Hermeneutics Controversies in Contemporary Islamic Studies', *Kalam* 17, no. 2 (December 2023): 147-170, <https://doi.org/10.24042/002023171465000>.

structure, contextual hermeneutics may inadvertently privilege external paradigms over internal jurisprudential coherence.<sup>10</sup>

A third body of scholarship proposes integrative or hybrid models that seek to reconcile tradition and modernity through methodological synthesis. These studies emphasize dialogue between classical jurisprudence and contemporary philosophy of law. However, many integrative proposals remain programmatic rather than structurally explicit.<sup>11</sup> They call for integration but do not provide a systematic epistemological model that explains how revelation, reason, and empirical reality interrelate in an ongoing interpretive process. Consequently, the integration often appears additive rather than transformative.

The research gap, therefore, lies in the absence of a coherent trans-epistemological framework that conceptualizes legal reasoning as a dynamic and reflexive interaction among its foundational epistemic sources. Existing approaches either prioritize one dimension—text, objective, or context—or propose integration without offering a clear structural paradigm. What remains underexplored is a model that transcends binary oppositions and conceptualizes legal reasoning as an iterative, spiral process in which revelation, reason, and empirical reality are mutually constitutive rather than hierarchically isolated.

This study introduces the Noetic Triadic Spiral Model as a response to this gap. The term "noetic" emphasizes the dimension of intellectual and spiritual cognition in legal reasoning, recognizing that jurisprudence involves not merely the mechanical application of rules but conscious engagement with meaning. The "triadic" structure reflects the interdependence of three epistemic domains: revelation (*wahy*) as a normative orientation, reason (*'aql*) as a systematic mediator, and empirical reality (*wāqi'*) as a contextual field of validation. The "spiral" metaphor signifies that interpretation is neither linear nor circular repetition but progressive, reflexive movement in which each engagement with reality invites renewed interpretation of the sources. Unlike linear models that move from text to application, the spiral structure acknowledges continuous feedback loops, enabling adaptation without sacrificing doctrinal integrity.

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<sup>10</sup> K. Wardiono, 'Prophetic: An Epistemological Offer for Legal Studies', *Journal of Law and Justice* 1, no. 1 (2019): 17-41, <https://doi.org/10.23917/jtl.v1i1.8797>.

<sup>11</sup> Karimullah, 'From Divine Revelation to Legal Practice'.

The novelty of this research lies in three principal dimensions. First, it moves beyond maqāṣid-based teleology by embedding objectives within a broader epistemological architecture, clarifying how objectives emerge from the interaction between revelation and reason within concrete realities. Second, it refines contextual hermeneutics by delineating epistemic boundaries that preserve the primacy of revelation while allowing interdisciplinary engagement. Third, it advances integrative scholarship by providing a structurally articulated model—rather than a merely normative appeal—for methodological synthesis. In doing so, the study proposes not simply an addition to existing frameworks but a reconfiguration of the epistemological grammar of legal methodology.<sup>12</sup>

Against this background, the central research question guiding this study is: How can legal methodology be reconstructed through a trans-epistemological model that integrates revelation, reason, and empirical reality in a dynamic spiral structure capable of addressing contemporary legal challenges? This question seeks not only to identify theoretical principles but also to articulate a coherent methodological architecture that can serve as a foundation for future jurisprudential development. The significance of this research is both theoretical and practical. Theoretically, it contributes to the philosophy of Islamic faith by offering a new paradigm for understanding epistemic interaction within legal reasoning. It challenges reductionist approaches and provides a conceptual vocabulary for transcending entrenched dichotomies. Practically, the model offers a framework adaptable to diverse contemporary issues, from technological innovation to global ethical debates, by ensuring that legal interpretation remains anchored in revelation while responsive to empirical complexity. Moreover, by conceptualizing methodology as a spiral process, the study affirms the possibility of renewal (*tajdīd*) without rupture and of continuity without stagnation.

## **METHOD**

This study employs a qualitative research design grounded in normative-philosophical inquiry, with a strong emphasis on conceptual reconstruction.<sup>13</sup> As a

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<sup>12</sup> A. Budiono et al., 'Legal Conscience and the Pressure of the Formal Law System', *Wisdom* 2, no. 22 (2022): 223–33.

<sup>13</sup> Helaluddin and Hengki Wijaya, *Analisis Data Kualitatif: Sebuah Tinjauan Teori & Praktik* (Sekolah Tinggi Theologia Jaffray, 2019).

theoretical investigation, it employs a library-based research method to systematically examine classical works of *uṣūl al-fiqh*, contemporary legal reform literature, and relevant philosophical and epistemological discourses. Primary sources consist of authoritative juristic texts representing the formative structure of legal methodology, while secondary sources include modern scholarship on *maqāṣid al-sharī'ah*, legal hermeneutics, and transdisciplinary legal theory. Data collection is conducted through comprehensive textual analysis, purposive selection of seminal works, and thematic documentation of key epistemic concepts related to revelation (*waḥy*), reason (*'aql*), and empirical reality (*wāqī'*). The selection of sources is guided by their relevance to the reconstruction of methodological structures rather than by chronological limitation, ensuring both classical depth and contemporary breadth.<sup>14</sup>

The data analysis process follows a multi-stage approach combining conceptual mapping, comparative analysis, and constructive synthesis. First, key epistemological assumptions embedded within classical and contemporary methodologies are identified and categorized. Second, a critical-comparative analysis is undertaken to examine points of convergence, tension, and fragmentation among these approaches. Finally, a constructive-analytical method is employed to formulate the Noetic Triadic Spiral Model as a coherent trans-epistemological framework. To ensure validity and rigor, the study employs source triangulation by cross-examining classical jurisprudential texts with contemporary theoretical interpretations and conducts internal consistency checks to maintain conceptual coherence. Analytical transparency, systematic citation, and reflexive evaluation of interpretive bias further strengthen the reliability of the findings, ensuring that the proposed model is both methodologically sound and theoretically accountable.

## RESULTS AND DISCUSSION

### Epistemological Mapping of Contemporary Legal Methodology

The first stage of analysis in this research was directed at a fundamental yet often unarticulated concern: why does contemporary legal methodology appear internally

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<sup>14</sup> A. Budiono et al., 'The Anglo-Saxon System of Common Law and the Development of the Legal System in Indonesia', *WSEAS Transactions on Systems* 22, no. 2023 (2023): 207-213, <https://doi.org/10.37394/23202.2023.22.21>.

fragmented, and what epistemic tensions sustain this fragmentation? The question is not simply about doctrinal disagreement or differences in legal outcomes. Rather, it concerns the deeper architecture of knowledge that shapes how Islamic faith is understood, constructed, and applied.<sup>15</sup> By systematically mapping classical *uṣūl al-fiqh* alongside modern reformist discourse, it becomes evident that contemporary fragmentation stems less from differences in sources than from differences in structural configuration. In other words, revelation (*waḥy*), reason (*‘aql*), and empirical reality (*wāqi‘*) are acknowledged across the spectrum of scholarship; what differs is how these three elements are positioned, prioritized, and made to interact.<sup>16</sup>

Historically, classical legal theory developed a remarkably sophisticated epistemic structure.<sup>17</sup> Foundational jurists articulated hierarchies of evidence, linguistic principles, analogical reasoning, consensus, and juristic preference. Their intellectual labor was not arbitrary; it emerged from concrete socio-political realities of expanding Muslim societies, judicial practice, and administrative governance. The deductive orientation of classical *uṣūl al-fiqh*—beginning with scripture and deriving rules through structured reasoning—functioned effectively within relatively stable normative environments. However, modernity has introduced unprecedented transformations: nation-state legal systems, codification, global finance, biomedical technologies, digital economies, and pluralistic social orders. These changes have intensified methodological strain. The inherited epistemic grammar of classical jurisprudence encounters pressures that demand reinterpretation, expansion, or structural recalibration.

From this mapping, three dominant epistemological orientations become discernible: textual-normative, teleological-contextual, and integrative-synthetic. Each represents a distinct configuration of the triadic relationship among revelation, reason, and

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<sup>15</sup> Firda Arina Zulfa et al., ‘Mapping Contemporary Islamic Legal Thought In Indonesia: A Dialog Between Fiqh and the Culture of the Archipelago’, *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 7, no. 1 (March 2025): 177–202, <https://doi.org/10.20885/mawarid.vol7.iss1.art10>.

<sup>16</sup> Laksana, Andri Winjaya, Hartiwiningsih Hartiwiningsih, Hari Purwadi, and Anis Mashdurohatun. "The Sufism healing as an alternative rehabilitation for drug addicts and abusers." *QIJIS (Qudus International Journal of Islamic Studies)* 11, no. 1 (2023): 149. DOI: <http://dx.doi.org/10.21043/qijis.v11i1.15025>

<sup>17</sup> Maryanto, Muh Isna Nurdin Wibisana, and Bambang Sumardjoko, ‘Contemporary Islamic Legal Perspectives on Qualification Policy Politics in Indonesia’, *MILRev: Metro Islamic Law Review* 4, no. 2 (August 2025): 1009–1027, <https://doi.org/10.32332/milrev.v4i2.11305>.

reality. The textual-normative orientation prioritizes scriptural authority as the primary locus of legitimacy. Its methodological posture is largely deductive, beginning with textual evidence and extending outward through interpretive tools such as *qiyās* (analogy), *ijmāʿ* (consensus), and linguistic analysis. Reason, in this framework, operates instrumentally: it clarifies meanings, reconciles apparent contradictions, and extends analogically. Empirical reality enters the process primarily at the stage of application rather than at the stage of foundational reasoning.

This orientation has demonstrable strengths. It preserves continuity with the classical tradition and safeguards theological coherence. In contexts where religious authority is contested, such fidelity reinforces communal trust and normative stability. It also resists the erosion of scriptural centrality in an age where external epistemologies—scientific, economic, or political—often claim autonomous authority. However, the limitations of this approach become evident when addressing phenomena that lack clear textual analogs. Digital currencies, artificial intelligence, and genetic engineering do not easily map onto classical categories. The textual-normative approach may respond through analogical reasoning, yet the complexity of modern systems sometimes exceeds the scope of traditional analogies. The result can be either overly cautious conservatism or strained analogical extensions that fail to capture the underlying ethical dynamics of contemporary issues.

In response to such challenges, the teleological-contextual orientation has gained prominence. This approach foregrounds *maqāṣid al-sharīʿah*—the higher objectives of Islamic faith—such as justice, welfare, protection of life, intellect, lineage, and property.<sup>18</sup> Rather than focusing primarily on discrete textual rulings, this orientation emphasizes the moral vision underlying the law.<sup>19</sup> Empirical reality becomes central, as legal judgments are

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<sup>18</sup> Nina Nurani, Apriwandi Apriwandi, and Hafied Noor Bagja, 'Intellectual Property Rights Law Reform Based on Maqāṣid Al-Sharīʿah as a Model for Green Business-Based Creative Industry Protection to Support Sustainable Development', *De Jure: Jurnal Hukum Dan Syar'iah* 18, no. 1 (February 2026): 1–32, <https://doi.org/10.18860/j-fsh.v18i1.40840>.

<sup>19</sup> Andri Winjaya Laksana et al., 'Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy', *MILRev: Metro Islamic Law Review* 4, no. 1 (June 2025): 416–439, <https://doi.org/10.32332/milrev.v4i1.10665>.

assessed according to their capacity to achieve ethical ends within concrete social contexts.<sup>20</sup> Reason mediates between foundational values and contextual demands, often drawing upon interdisciplinary insights from economics, sociology, and political theory.

The teleological-contextual orientation has significantly revitalized Islamic legal discourse. It offers a framework for addressing public policy, governance, and social justice issues in a rapidly changing world.<sup>21</sup> By emphasizing ethical universals, it counters rigid literalism and aligns Islamic faith with broader human concerns. However, this approach is not without critique. One recurring concern is methodological subjectivity: how are objectives identified, prioritized, or weighed against one another? Without a clearly articulated epistemic hierarchy, appeals to "public interest" or "justice" may become vulnerable to ideological influence. The risk lies not in the concept of objectives itself, but in insufficient structural clarity regarding how objectives relate to textual evidence and juristic precedent.

The third orientation, integrative-synthetic, emerges as an attempt to bridge the apparent polarity between textualism and contextualism. It calls for methodological synthesis, dialogue between classical jurisprudence and modern philosophy of law, and openness to interdisciplinary engagement.<sup>22</sup> Scholars in this stream often argue that legal theory possesses internal flexibility that can accommodate modern realities without abandoning foundational commitments.<sup>23</sup> However, much of this scholarship remains aspirational rather than architecturally explicit. It advocates integration but does not always delineate its structural mechanics. Revelation, reason, and reality are invoked together, yet their dynamic interaction is insufficiently theorized. As a result, integration may become additive—placing classical doctrines and modern considerations alongside one another—

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<sup>20</sup> Ahmad Sukris et al., 'Restorative Justice Principles in Banjar Customary Inheritance Disputes: A Normative Analysis of Out-of-Court Settlement Institutions through Adat Badamai', *El-Mashlahah* 15, no. 2 (December 2025): 415–436, <https://doi.org/10.23971/el-mashlahah.v15i2.10047>.

<sup>21</sup> Zaprulkhan Zaprulkhan, 'Maqāṣid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda', *Walisongo: Jurnal Penelitian Sosial Keagamaan* 26, no. 2 (December 2018): 445–472, <https://doi.org/10.21580/ws.26.2.3231>.

<sup>22</sup> Imam Mahdi, Etry Mike, and Arini Azka Mutia, 'Contextualizing Islamic Law in Resolving Customary Land Conflicts: A Siyasaḥ Syar'iyah Approach to the Semende Tribe's Dispute in Bukit Barisan Selatan National Park', *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 12, no. 2 (November 2025): 696–710, <https://doi.org/10.29300/mzn.v12i2.8619>.

<sup>23</sup> Husnul Fatarib et al., 'Progressive Legal Reasoning in Contemporary Islamic Legal Reform: Negotiating the Maqāṣid and Hermeneutic Approaches', *JURIS (Jurnal Ilmiah Syariah)* 24, no. 2 (December 2025): 277–294, <https://doi.org/10.31958/juris.v24i2.16123>.

rather than reconstructive, redefining how these elements co-constitute legal reasoning. Without a dynamic model, the integrative orientation risks reproducing the very fragmentation it seeks to overcome.

The mapping exercise thus reveals a critical insight: contemporary fragmentation does not stem from rejection of revelation, reason, or reality. All three orientations affirm these elements. The divergence arises from competing structural grammars governing their interaction. In the textual-normative grammar, revelation dominates, and contextual input is constrained. In the teleological-contextual grammar, ethical objectives derived from revelation mediate interpretation through contextual analysis. In the integrative grammar, the aspiration for synthesis exists but lacks systematic articulation.

This structural divergence explains why debates often appear circular. Each orientation critiques the others for imbalance—textualists caution against relativism, contextualists warn against rigidity, and integrationists call for harmony—yet without a shared structural framework, dialogue remains limited.<sup>24</sup> The disagreement is not over whether revelation matters, but over how revelation should interact with reason and reality in an age of epistemic pluralism. The recognition of this structural fragmentation establishes the necessity of a trans-epistemological reconstruction. Such reconstruction must not eliminate difference, nor should it privilege one orientation at the expense of others. Instead, it must articulate a dynamic architecture in which revelation, reason, and empirical reality are mutually constitutive within an iterative process. Only by redefining their interrelationship can legal methodology move beyond oscillation between rigidity and fluidity.

The following table synthesizes the structural characteristics identified in this epistemological mapping:

Epistemological Orientation	Primary Epistemic Anchor	Role of Reason	Role of Empirical Reality	Strengths	Limitations
Textual-Normative	Revelation ( <i>wahy</i> )	Instrumental interpretation and analogy	Contextual application within doctrinal limits	Doctrinal fidelity; theological stability	Limited adaptability; strained analogies

<sup>24</sup> Vincentius Setyawan and Bariah Safrut, 'Rethinking Law and Justice: The Core Principles of Critical Legal Studies against Legal Formalism', *NUSANTARA: Journal Of Law Studies* 4, no. 2 (October 2025): 74–85, <https://doi.org/10.5281/zenodo.17332128>.

Teleological-Contextual	Objectives ( <i>maqāṣid</i> )	Ethical mediation and prioritization	Central determinant in assessing outcomes	Moral responsiveness; social relevance	Risk of subjectivity; hierarchy ambiguity
Integrative-Synthetic	Combined sources	Harmonizing and dialogical function	Complementary engagement	Openness and flexibility	Structural vagueness; additive synthesis

Source: Author's Interpretation

The table above demonstrates that the principal differences among the three methodological orientations lie in their epistemic anchor and in how each positions reason and empirical reality within the process of legal reasoning. The textual-normative orientation places revelation at the center of legitimacy, with reason functioning instrumentally and reality operating within established doctrinal boundaries; as a result, it is strong in preserving doctrinal continuity but less flexible in responding to change. The teleological-contextual orientation shifts the focus to *maqāṣid* as the ethical axis, granting greater weight to contextual analysis and rational prioritization, yet it risks subjectivity and ambiguity in establishing a clear hierarchy of evidence. Meanwhile, the integrative-synthetic orientation seeks to bridge the two by encouraging dialogue among sources, but it still encounters structural weaknesses because its integration often remains additive rather than reconstructive. Therefore, the table underscores that the core issue lies not in disagreement over legal sources, but in the differing structural configurations and epistemological architecture that govern their interaction.

### Formulation of the Noetic Triadic Spiral Model

Building upon the epistemological mapping outlined earlier, this study advances the Noetic Triadic Spiral Model as a reconstructive response to the structural fragmentation identified within contemporary legal methodology. The model does not seek to replace classical *uṣūl al-fiqh*, nor does it advocate abandoning established interpretive tools.<sup>25</sup> Rather, it proposes a rearticulation of the epistemic architecture through which revelation, reason, and empirical reality interact.<sup>26</sup> The aim is not reform for its own sake, but

<sup>25</sup> Suwondo, Denny, Andri Winjaya Laksana, and Chami Yassine. "Integrating Australian Employment Law Practice in Support of People with Disabilities in Indonesia." *Khazanah Hukum* 7, no. 2 (2025): 236-254. DOI: <https://doi.org/10.15575/kh.v7i2.44946>

<sup>26</sup> Ilham Abdi Prawira, Rahmad Setyawan, and Fahlul Ulum Ahmad Adnani, 'The Paradigm Shift of Maqāṣid Al-Syarī'ah in Contemporary Society: From Protection to Development', *Academica: Journal of Multidisciplinary Studies* 9, no. 2 (December 2025): 22-32, <https://doi.org/10.22515/academica.v9i2.14126>.

structural clarification—an effort to move from competing methodological grammars toward a coherent, reflexive framework capable of sustaining intellectual continuity and contextual responsiveness at once.

The first foundational premise of the model is that legal reasoning is inherently noetic. The term "noetic" underscores the role of conscious intellectual and moral awareness in the juristic process. Classical jurists did not conceive of legal reasoning as mechanical deduction; their writings consistently reveal attentiveness to intention (*niyyah*), moral consequence, and accountability before God. Juristic disagreement (*ikhtilāf*) was not merely a technical divergence but reflected differing assessments of meaning, context, and ethical priority. This historical reality challenges the modern caricature that jurisprudence is reducible to rigid rule extraction. The noetic dimension highlights that interpretation involves a living intellect engaged with divine guidance and human circumstance.

Empirically, this can be observed in how classical jurists responded to social change within their own eras. Commercial innovations in early Islamic markets, administrative reforms under expanding political authority, and regional customs across diverse territories required interpretive adaptation. Jurists employed analogy, juristic preference (*istihsān*), and public interest (*maṣlahah*) not as arbitrary devices but as tools of reflective reasoning.<sup>27</sup> These tools demonstrate that consciousness of ethical purpose and social consequence has always informed legal deliberation. By foregrounding the noetic element, the model seeks to recover this dimension as a structural principle rather than a peripheral characteristic.

The second premise of the model is its triadic structure. Islamic faith and legal reasoning are grounded in the interdependence of revelation (*waḥy*), reason (*‘aql*), and empirical reality (*wāqi‘*). Each element plays a distinct yet inseparable role. Revelation provides the normative horizon—the source of values, moral orientation, and theological legitimacy. Reason functions as a mediator and organizer.<sup>28</sup> It clarifies language, reconciles evidence, draws analogies, and ensures coherence within the legal system. Empirical reality, meanwhile, provides the living context within which law operates. It reveals new

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<sup>27</sup> Achmad Rafiu, Muh Alghifari, and Kurniati, 'The Maqasid Syariah Paradigm as an Innovation in Islamic Law in Jasser Auda's Thought', *Al-Ilmiya: Jurnal Pendidikan Islam* 1, no. 4 (February 2026): 1845–1854.

<sup>28</sup> Muhammad Nazir Alias et al., 'The Position of Maqasid Al-Shariah within Islamic Legal Sources: A Comprehensive Analysis', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 9, no. 2 (July 2025): 937–964, <https://doi.org/10.22373/q4byre51>.

circumstances, social transformations, and technological developments that demand interpretive engagement.

The triadic structure is not novel in substance; all three elements are present within classical theory. What is novel is their reconfiguration into a dynamic interrelationship rather than a static hierarchy. In many contemporary debates, these elements appear in tension—text versus context, tradition versus modernity, revelation versus rationality. The triadic model rejects this polarity by asserting that revelation, reason, and reality are mutually constitutive in the interpretive act. Revelation without rational mediation risks literalism detached from complexity. Reason without revelation risks losing normative orientation. Engagement with reality without anchoring principles risks drifting into pragmatism devoid of theological grounding. The triad functions only when all elements remain active and interdependent.

The third premise—the spiral configuration—addresses the temporal and procedural dimension of legal reasoning. Classical models are often described as linear: text is interpreted, meaning is derived, and application follows. While effective in stable contexts, such linearity becomes strained in environments characterized by rapid technological change and epistemic pluralism. Contemporary societies generate new realities at unprecedented speed: digital economies, biomedical interventions, transnational governance structures. These realities not only demand the application of law but also reshape the questions jurists must ask.

The spiral metaphor reconceptualizes interpretive movement as iterative and reflexive. Instead of a one-directional flow from text to application, the spiral envisions continuous interaction. Engagement with empirical reality raises new interpretive questions; these questions prompt renewed examination of revelation through rational mediation; the resulting interpretation is then tested within lived contexts, generating further reflection. Each cycle deepens understanding without severing connection to foundational sources. The movement is progressive—not in the sense of abandoning the past, but in refining interpretation through cumulative engagement.

This spiral structure introduces two methodological safeguards essential for contemporary reconstruction. First, it prevents stagnation. Because empirical engagement is integral to the interpretive process, legal reasoning cannot remain insulated from social

transformation. Each new context invites reconsideration of earlier formulations, ensuring intellectual vitality. Second, it prevents relativism. Every interpretive cycle returns to revelation as normative orientation. Adaptation is therefore bounded by theological commitment. The spiral does not collapse into endless reinterpretation; it remains tethered to a moral horizon.

The dynamic interaction among the triadic elements can be illustrated conceptually. Revelation provides principles such as justice, trustworthiness, and protection of human dignity. Reason analyzes how these principles relate to specific circumstances, drawing upon linguistic tools and logical inference. Empirical reality presents concrete challenges—economic inequality, digital privacy, and environmental degradation—that require applying these principles. When outcomes reveal new complexities or unintended consequences, the process returns to revelation for renewed guidance. In this way, interpretation becomes an ongoing dialogue rather than a closed procedure.

Importantly, the spiral configuration also clarifies the place of interdisciplinary knowledge. Contemporary legal issues often require expertise beyond classical jurisprudence—medical data in bioethics, economic analysis in financial regulation, sociological insight in family law reform. Within the triadic spiral, such knowledge enters at the level of empirical reality. It informs the interpretive cycle without displacing revelation as a normative anchor. Reason mediates this engagement, evaluating external knowledge in light of foundational principles. This structure ensures openness without epistemic surrender.

The noetic dimension further guards against technocratic reductionism. In an era in which legal systems risk becoming procedural and efficiency-driven, legal jurisprudence must resist being reduced to an administrative technique. The consciousness of divine accountability situates legal reasoning within a moral-spiritual horizon. Jurists are not merely technicians but moral agents responsible for aligning law with ethical purpose. This awareness deepens interpretive seriousness and tempers instrumental reasoning.

Ultimately, the formulation of the Noetic Triadic Spiral Model responds directly to the structural gap identified in the epistemological mapping. It does not negate textual fidelity, teleological sensitivity, or integrative aspiration. Rather, it reorganizes them within

a dynamic architecture that clarifies their interrelationship. By conceptualizing legal methodology as noetic in consciousness, triadic in structure, and spiral in movement, the model offers a coherent trans-epistemological framework capable of navigating contemporary complexity without dissolving doctrinal integrity.

### **The Circular Motion of Demystification: The Triadic Spiral Noetic Methodology**

The development of contemporary legal studies is often trapped in a tiring binary tension between positivism, which glorifies textual certainty, and legal realism, which glorifies empirical facts. Positivism, in its claim to objectivity, tends to isolate law from moral and social contexts, reducing it to mere technical procedures blind to structural injustice.<sup>29</sup> On the other hand, even though the critical or sociological approach is sharp in uncovering power relations, it still lacks a normative-transcendental foundation, leaving it trapped in a nihilistic value relativism.

In the context of this deadlock, there is an increasingly urgent need for a methodology that can bridge the gap between texts (revelation/norms), context (social reality), and values (transcendental ethics). The methodological dichotomy between legal textualism (normative) and legal sociology (empirical) has so far led to a partial analysis: the law is either understood as an inflexible text or as a mere social phenomenon, without moral direction.

In this section, a new methodological synthesis, the Triadic Spiral Noetic Methodology, is described. This methodology does not merely "paste" holy verses onto concepts or data, but fuses the spirit of social deconstruction with the Circular Motion of Demystification, sharpened by legal methodology and the objectification of Islamic Law. This methodology integrates the Noetic Legal paradigm with the *epistemologies of Bayani, Burhani, and Irfani*. Through five dialectic phases—ranging from self-transformation to the validation of hikmah (wisdom)—this methodology offers a framework that not only critically explains the legal reality but also transforms it to achieve noetic justice. It is hoped that this methodology may produce a legal product that is transcendently sturdy, scientifically valid, and ethically liberating.

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<sup>29</sup> B. Golden, *Critical Legal Studies*, *Elgar Concise Encyclopedia of Legal Education* (Edward Elgar Publishing Ltd, 2025), <https://doi.org/10.4337/9781035302932.ch30>.

This methodology is built upon the fundamental premise that the law does not operate in a value-free vacuum. Wael Hallaq's sharp critique of modernity highlights that the ontological division between the domain of fact (*is*) and the domain of value (*ought*) is the root of modern law's ethical crisis.<sup>30</sup> Positivism, which purifies the law of transcendental elements, ironically leads to the creation of a technocratic system devoid of meaning—what Weber calls an "iron cage" of instrumental rationality. In responding to that crisis, this methodology rejects the value-free postulate and adopts the "Involved Subjectivity" paradigm. Objectivity does not mean isolating researchers; rather, it is the intellectual honesty of acknowledging the partiality of morality. Noetic legal researchers arrive not as neutral audiences, but rather as active participants who bear ethical responsibility. This is in line with Virtue Jurisprudence, which declares that justice depends on the virtuous character of the subject.<sup>31</sup> Here, subjectivity means conscious involvement that is guided by an objectified transcendental moral compass.

Meanwhile, the terminological meaning of Noetic Triadic Spiral is: (a) Spiral. It substitutes the linear research model. The seeking of truth is a circular dialectic motion that keeps on ascending. Adopting Gadamer's hermeneutic circle, every encounter between researchers' pre-understanding and texts will yield a deeper, more holistic understanding.<sup>32</sup> Its aim is not merely to accumulate data, but to achieve wisdom/*hikmah*; (b) Triadic. It refers to the orchestration of three epistemologies: *Bayani* (text), *Burhani* (ratio/empirical), and *Irfani* (intuition/the heart). These three things are interconnected: *Bayani* maintains authenticity, *Burhani* guarantees relevance, and *Irfani* provides ethical depth;<sup>33</sup> (c) Noetic (as an articulation of Prophetic). This movement is not used to substitute, but rather serves as a cognitive articulation of the "Prophetic" spirit. If Prophetic (as idealized by Kuntowijoyo) is a mission of liberation or its *telos* (Humanization, Liberation, and

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<sup>30</sup> Wael B. Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge: Cambridge University Press, 2001).

<sup>31</sup> Lawrence B. Solum, 'Virtue Jurisprudence: A Virtue-Centred Theory of Judging', *Metaphilosophy* 34, nos 1-2 (2003): 178-213.

<sup>32</sup> Hans-Georg Gadamer, *Truth and Method* (New York: Continuum, 2004).

<sup>33</sup> Ayatullah Jawadi Amuli, *The Status of Reason in the Life of Man* (Qom: Isra Publication, 1905).

Transcendence),<sup>34</sup> then Noetic is the reasoning structure (*Intellectus*) to achieve it. Noetic emphasizes the role of the common sense (ratio/intellectual) that is enlightened with revelation. Noetic is a term that will recombine the "heavens" and the "earth", which have previously been divorced by secularism.<sup>35</sup>

To provide a holistic illustration of the developed epistemological architecture, this methodology can be visualized as a spiral scheme. As shown in Figure 1, the noetic legal research's motion is not a linear straight line that ends statically, but is rather a dynamic motion of dialectic ascension. This process is strongly rooted in Subject Demystification (Intellectual Motion), which serves as its ontological foundation, then moves circularly to the top through the stages of textual and contextual demystification. The most fundamental part of this visualization is the existence of the Transcendental Axis (the golden axis in the center), which becomes the center of gravitation, guaranteeing that no matter how far reasoning shoots and how far any fact is dissected, researchers' orientation is still linked to Divine values to achieve essential truth.

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<sup>34</sup> Kelik Wardiono et al., 'Epistemology of Legal Studies: Research Method Characteristics of Theoretical Law Bearers in Indonesia', *Journal of Ecohumanism* 3, no. 3 (2024): 814-54, <https://doi.org/10.62754/joe.v3i3.3374>.

<sup>35</sup> Josh A. Reeves, 'Exemplars in "Science and Religion": A Theological Dialogue with Thomas Kuhn', *Religious Studies* 61 (2025): 204-215, <https://doi.org/10.1017/S0034412523000975>.

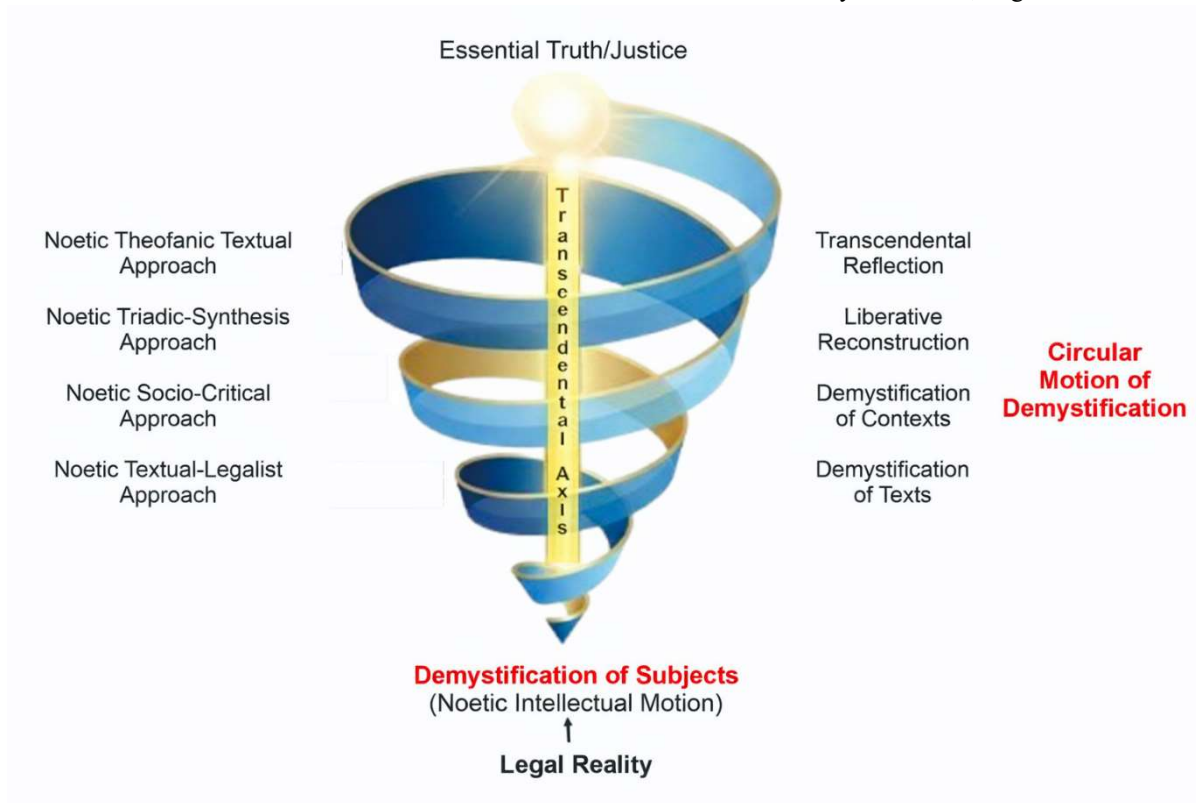


Figure 1. The Scheme of the Triadic Spiral Model of the Noetic Legal Research Methodology

The Noetic Triadic Spiral Methodology is operationalized through the following stages of activities and requirements:

### 1. Pre-Research Stage: Subject Demystification (The Transformation of Researchers)

The radical step of this methodology is: Before analyzing an object, researchers must analyze themselves.<sup>36</sup> This phase uncovers the myth that researchers must be neutral. Through the *Irfani* epistemology, researchers internalize revelation values (meta-judicial basis) to develop a noetic perspective. Researchers raise awareness that conducting research is more than an academic activity; it is a part of worship and a manifestation of social transformation, as well as the deconstruction of injustice. This phase is the ontological foundation, pre-scientific but absolute. This methodology acknowledges Heidegger's thesis that every understanding is initiated with pre-understanding (*Vorverständnis*).<sup>37</sup> However, if Western hermeneutics leaves the pre-understanding to be formed randomly by tradition,

<sup>36</sup> Philippe Nonet and Philip Selznick, *Law and Society in Transition: Toward Responsive Law* (Milton Park, Abingdon-on-Thames: Taylor and Francis, 2017), <https://doi.org/10.4324/9780203787540>.

<sup>37</sup> Martin Heidegger, *Being and Time* (Oxford: Blackwell, 1927).

this methodology consciously builds pre-understanding on a meta-juridical (revelation) basis through the process of clarifying the soul. There is a sharp demarcation with the secular critical methodology. If the secular one starts with the "hermeneutics of doubt", this methodology begins with the "hermeneutics of belief" (Tashdiq) in the absolute truth, grounded in a meta-juridical basis (revelation).<sup>38</sup> Through this internalization, researchers have a pre-assumption full of noetic values, as it is based on consistent *Orthopraxis* (experiences of worship).<sup>39</sup> As in the discourse of Virtue Epistemology, researchers who do not have virtue (integrity and honesty) will experience epistemic blindness against substantive truth.<sup>40</sup> Here, wisdom/*hikmah* serves as a radical ethical compass, preventing researchers from becoming lost in a jungle of legal techniques that kill the sense of humanity.

After this foundation of noetic subjectivity is sturdily built, the spiral motion then ascends outside of the inner space to the objective space. Intellectual and spiritual readiness, which has been formed, is not to be enjoyed in contemplative silence, but rather becomes the main epistemological capital (prerequisite) in facing legal authority. Without a living "soul", researchers will only see the law as a "carcass" of a dead text. Thus, with the capital of moral autonomy and the clarity of a sharpened vision, this research is now ready to enter the textual dialectics to diagnose normative reality.

## **2. Stage I: Textual Demystification (Normative Derivation)**

This stage is research into normative reality, but it goes beyond the conventional doctrinal approach. Researchers do not merely test the conformity of facts with the positive law; they also uncover the myth of the holiness of the state's legal texts. The approach used is called the Doctrinal-Noetic Approach. After finding positive legal norms (for instance, an article of a law), researchers conduct an epistemological jump: seeking the Equivalent Concept or the Basic Principle (*Ratio Legis*) of that norm in the meta-juridical basis

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<sup>38</sup> L. Safi, *The Foundation of Knowledge: A Comparative Study in Islamic and Western Methods of Inquiry* (Kuala Lumpur: IIUM Press, 1996).

<sup>39</sup> Syed Muhammad Naquib Al-Attas, *Prolegomena to the Metaphysics of Islam* (Kuala Lumpur: ISTAC, 1995).

<sup>40</sup> Zagzebski, *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundations of Knowledge* (Cambridge: Cambridge University Press, 1996).

(revelations/transcendental values). It aims to find a parameter of transcendental values as a measure (orthodoxy) to assess the validity of the state's legal morals.<sup>41</sup>

This effort is carried out using the Noetic Textual-Legalist Approach (The Objectification of *Bayani*). Through the textual analysis of authoritative sources, researchers conduct linguistic identification, verification, and analysis to identify the core value. However, this approach is not stiff literalism. Quoting Khaled Abou El Fadl, textual reading must be sensitive towards the negotiation of meaning.<sup>42</sup> The parameter of transcendental value is then extracted into a theoretical construct that functions as a critical scalpel with a surplus of meaning.<sup>43</sup> Therefore, methodologically, the stages of activities in phase I are shown in the following process:

- a. The Determination of the Major Premise (*Das Sollen* of the State). In this case, researchers identify and take inventory of the (real face of the) positive law as it is, using a doctrinal method.
- b. The Determination of the Minor Premise (Document Facts/Normative Reality). At this stage, researchers objectively describe the legal phenomenon in the document.
- c. The Drawing of a Temporary Conclusion: Researchers draw a formal syllogistic conclusion (*Is the fact according to the law?*). In pure doctrinal (normative) research, this is the last stage of the syllogistic process. However, in Noetic Law, this is just the start; subsequent stages follow it.
- d. The Testing of Transcendental Validity (Demystification): This is the main distinction. The temporary conclusion is confronted using the parameter of transcendental values. The question is, "*Is this positive law conclusion in line with transcendental values, or does it actually violate them?*"
- e. End Conclusion (Noetic Conclusion):
  - 1) If it is aligned, the norm has Constitutive Validity.

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<sup>41</sup> Ronald Dworkin, *Taking Rights Seriously* (Cambridge: Harvard University Press, 1977).

<sup>42</sup> M. Kasman and A. Budiono, 'Reception of Muslims to the Ḥadīth Prohibition of Praying for Non-Muslim Spirits in a Multi-Religious Society', *Journal of Ecohumanism* 3, no. 4 (2024): 1-8, <https://doi.org/10.62754/joe.v3i4.3457>.

<sup>43</sup> Paul Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning* (Fort Worth: TCU Press, 1976).

- 2) If it is contradictory (legally valid but oppressive), researchers provide Critical Notes and recommendations for reconstruction.

Even though this stage is dominated by deductive logic (dominated by the use of ratio), in essence, this process involves an Ethical-Noetic Contemplative Approach that works heuristically as a guide in two crucial moments:

**a. When Choosing *Ratio Legis*.**

The meta-juridical basis is very wide. This is where the Ethical-Noetic Contemplative Approach (*Irfani*) works heuristically to guide researchers in choosing the most accurate principle. For example, there is a case of cocoa theft by an older woman named Minah in Indonesia. If researchers base their research solely on a purely textual-legalist approach, the deductive logic will directly point to the verse on sariqah (cutting off the hands of thieves) or the article on theft in an inflexible manner. However, the Ethical Contemplative Approach intervenes by guiding the researchers' ratio to grasp the spirit/soul of the verse, rather than its mere textual sound. In this process, researchers conduct an *Illat* analysis (logical reason). The *Illat* of the application of severe punishment for thieves is to give a deterrent effect to "greed" and professional crimes. Meanwhile, in Minah's case, this action is driven by a lack of knowledge and a sense of urgency. Thus, the legal *illat* is not fulfilled. If the article on theft is applied blindly, it will actually violate the basic principles of noetic justice. At this crucial point, researchers must decide: *to punish or to forgive?* The Ethical-Noetic Contemplative Approach functions as a moral compass, directing researchers to uphold the principles of *Al-'Adl* (substantive justice) and *Ar-Rahmah* (The Most Gracious).<sup>44</sup> The validity of this choice is not subjective preference, but is tested via the Principle of Textual Coherence (Intellectuality). Researchers prove that the principles of Justice and Affection are a consistent, fundamental theme (*mutawatir*) throughout the structure of Revelation Texts. Because this principle has a degree of generality and a higher value hierarchy compared to particular legal verses, it becomes a "judge" that limits the application

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<sup>44</sup> M. Z. Aulia et al., 'The Use of Progressive Law Phrase in Constitutional Court Decisions: Context, Meaning, and Implication', *Jurnal Konstitusi* 20, no. 3 (2023): 423-50, <https://doi.org/10.31078/jk2034>; Armia Muhammad Siddiq, 'Constitutional Court and Judicial Review: Lesson Learned for Indonesia', *Negara Hukum* 8, no. 1 (2017): 107-130, <https://doi.org/10.22212/jnh.v8i1.940>.

of the verse on physical punishments. Therefore, emphasizing forgiveness in this case is not a textual revocation but rather an effort to maintain the purity and consistency of Revelation Texts' messages so they do not collide with one another. At this stage, the textual demystification process becomes evident. Researchers reach a noetic conclusion that Article 362 of the Criminal Code, when applied unthinkingly to Minah, is morally defective, as it violates the parameter of transcendental values and lacks a "security valve" for the vulnerable group. Therefore, the valid legal solution under Noetic Law is to restore losses and offer forgiveness (restorative justice), rather than imprisonment.<sup>45</sup>

b. During the Test of Conscience

When the logics of the formal law state "Facts According to Regulations", the contemplative approach actually revives the alarm of consciousness, "*It may be valid, but is it just?*" This stage functions to prevent researchers from becoming trapped in an oppressive legal certainty.

For instance, there were land eviction cases involving customary communities or people from city slums by corporations holding concession rights (such as Business Use Rights). From a legal and formal perspective, this eviction is valid, as the corporation holds a valid certificate and the administrative procedures have been carried out. If researchers only use deductive-positivistic logic, the conclusion is final: "*The eviction is according to the law.*"

However, the Ethical-Noetic Contemplative Approach (*Irfani*) intervenes with a radical question: "*Is a law which validates the eviction of human beings from the land of their ancestors for the accumulation of corporate capital a law that honors human beings as the Caliphs of God?*" Researchers' consciences recognize the presence of dehumanization. Researchers are aware that the Right to Land has a Social Function that is often dismissed by a dry, capitalist interpretation.

Therefore, the legal solution (noetic solution) is not the validation of eviction, but the Reconstruction of Rights. Researchers argue that the Business Use Rights certificate (Formality) is annulled by moral law if it conflicts with society's basic right

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<sup>45</sup> Suteki and A. Natalis, 'Mainstreaming Progressive Law: Toward an Emancipatory Paradigm in Legal Higher Education', *Cadernos de Dereito Actual* 2025, no. 27 (2025): 160-183.

to live (Substance). The proposed legal product is an *Enclave* (excluding the people's land from the concession area) or an Equal Partnership, rather than eviction. The noetic argument is clear: the law is created to make human beings more civilized (Humanization), rather than sacrificing them for a legal certificate.<sup>46</sup> In this context, if the formal-logical conclusion actually violates humane conscience, the Ethical-Noetic Contemplative Approach issues a warning. This is to prevent researchers from becoming trapped in an oppressive legal certainty.

### 3. Stage II: Contextual Demystification.

From an ontological perspective, this stage situates sociological reality—both empirical and contemplative reality—not merely as a passive object of spectacle, but as an arena of dialectics that lives between the law and human beings. This stage is based on the non-doctrinal legal research method (both quantitative and qualitative). However, the Noetic methodology rejects stopping at the tradition of conventional sociological positivism, which is often trapped in pseudo-neutrality and aims only to describe or explain legal phenomena in a value-free manner. On the contrary, this methodology moves beyond it, aiming to engage in the effort of Contextual Demystification. The essence is uncovering the legal facts' "myth of fairness". Researchers argue against the general assumption that structural inequality, poverty, or dehumanization resulting from state laws is normal and natural—a mere logical consequence of development.

Philosophically, the rejection of this pure description is based on the perspective of Critical Realism. This perspective holds that social reality is not singular; there is an "empirical reality" (what is seen on the surface) and a "real reality" (the hidden structure or causal mechanism that leads to the occurrence of that event). Sociological positivism, as criticized by Georg Lukács, is often trapped in reification, i.e., treating human-made products, such as the law or social structure, as if they were dead objects or unchangeable natural forces. Therefore, there is a need for contextual demystification to prove that oppressive social facts are not "God's fate" or "natural law," but rather a social construct

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<sup>46</sup> Wardiono et al., 'Epistemology of Legal Studies: Research Method Characteristics of Theoretical Law Bearers in Indonesia'.

born of unequal power relations. The law that seems neutral on the surface often hides an ideology of hegemony at its depths.<sup>47</sup>

In the epistemological domain, the main instrument that is used in this phase is the Noetic Socio-Critical Approach. It is a form of objectification of the Burhani epistemology, which depends on the strength of the mind, demonstrative logic, and empirical evidence to find the truth.<sup>48</sup> The use of the term "Socio-" confirms that the law does not work in a vacuum, as it intertwines with real social structures. The use of the term "Critical" refers to a synthesis between the spirit of Critical Legal Studies and noetic ethics.<sup>49</sup> Meanwhile, the addition of the term "Noetic" serves as a transcendental anchor, indicating that the developed critiques are not destructive-secular but are rather guided by the Light of the Mind, connected with revelation. Its goal is to restore social reality so that it becomes precisely aligned with the Divine Will (Transcendence). The logic used is the Causality-Critical Logics. Researchers not only ask "How are laws applied?" but also demand "Why is it that factually, a normatively-valid law creates damage?" This epistemological choice refers to Jürgen Habermas' concept of emancipatory knowledge, in which scientific knowledge aims to free human beings from a shackling structure.<sup>50</sup>

At the axiological level, legal truth in this phase is no longer measured from its formal legality, but rather from its Ethical Functionality. This methodology rejects the doctrine of value neutrality as espoused by Max Weber; in the noetic paradigm, knowledge is never value-free. Partiality is absolute. Legal validity is grounded in Noetic Teleology, in which the law does not have value in and of itself but rather becomes an instrument of liberation and humanization. Researchers must rationally-empirically prove whether the law promotes universal virtue or, ironically, causes structural damage. If it is proven to lead to dehumanization, for the sake of moral integrity, the law is deemed sociologically defective and must be deconstructed.<sup>51</sup>

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<sup>47</sup> Roy Bhaskar, *A Realist Theory of Science* (London: Verso, 2008); Georg Lukács, *History and Class Consciousness* (Cambridge: MIT Press, 1971).

<sup>48</sup> M. Rofiq, 'Arab Political Reasoning: Muhammad Abid al-Jabiri's Contribution for Understanding Crisis of Politics in the Arab World', *Indonesian Journal Of Islam And Muslim Societies* 7, no. 1 (2017): 55-76, <https://doi.org/10.18326/ijims.v7i1.55-76>.

<sup>49</sup> Golden, *Critical Legal Studies*, *Elgar Concise Encyclopedia of Legal Education*.

<sup>50</sup> Jürgen Habermas, *Knowledge and Human Interests* (Boston: Beacon Press, 1971).

<sup>51</sup> Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: IIIT, 2008).

From a methodological-technical sense, this contextual demystification process is carried out through two systematic steps. The first step is the Reconstruction of Social Fact. At this stage, the researcher works like a legal scientist, with an objective perspective on social studies, to portray reality (das Sein) as it is. This process encompasses the descriptive analysis to see the consistency between the data implementation in the field and the orders of legal norms.<sup>52</sup> It also includes an explanatory analysis of why that reality occurs, using relevant sociological theories. The second step is Critical Demystification (Noetic Evaluation), which is the heart of this methodology. Researchers conduct an epistemological leap by confronting field data using the Transcendental Value Parameter, which has been formulated at Stage I. Researchers conduct a test of the ontological gap to examine the gap between legal promises and legal impacts, as well as an evidentiary process of structural causality to show how social suffering is a direct impact of that legal structure's operation.<sup>53</sup> This step ends with uncovering power relations to identify the privileged group (i.e., who profits from this) and the marginalized group (i.e., who suffers losses due to this).

Just as in the previous stage, research in Stage II of the Noetic Contemplative-Ethical Approach (an objectivization of Irfani) plays a vital role in giving ethical meaning to facts. Without this approach, Stage II will become no more than a dry, technocratic sociological analysis. The Contemplative-Ethical Approach transforms statistical data into humane narrations that demand advocacy. For instance, in the case of mass work termination, positivist reasoning may only see it as statistical numbers, but noetic contemplation sees it as the loss of breadwinners' honor. Apart from that, this approach functions as a detector of injustice, directing researchers' analytical spotlight to the most vulnerable group (people with low incomes), even though, in aggregate data, their numbers are a minority. Further, this approach conducts moral interruption to prevent the normalization of crimes, such as rejecting the assumption that environmental pollution can be resolved by merely paying fines. Therefore, social facts are not only understood as data,

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<sup>52</sup> Soerjono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum* (Jakarta: RajaGrafindo Persada, 2008).

<sup>53</sup> A. G. Kjelling and S. Markeng, 'Because I Have Knowledge': Young Muslims' Experiences of Moving between the Mosque and the Public School', *British Journal of Religious Education*, 2025, 1-14, <https://doi.org/10.1080/01416200.2025.2524035>.

but also as a moral calling to recover the condition and become accountable in the face of God.

## 2. Stage III: Liberative Reconstruction

After going through the textual demystification process at the first stage and the contextual demystification process at the second stage, this research cannot stop at the mere rubble of critiques. Noetic methodology does not aim to create legal nihilism, but rather seeks liberation and humanization. Therefore, this peak stage is called the Liberative-Humanist Reconstruction.<sup>54</sup> Ontologically, this stage is a researcher's moment of transformation, from a sharp critique to a wise "legal architect". Its main aim is to formulate an offer of a new legal solution or a reinterpretation that may liberate human beings from the shackles of an unjust structure, as well as re-elevate the honor of humanity that has once been marginalized.

Epistemologically, the main instrument used to formulate that instrument is the "Triadic Integration". This is a moment of synthesis, where the three previous approaches that work specifically—namely, the legalist-textual, socio-critical, and ethical-contemplative approaches—are brought to the table of dialectics to create an integral solution.<sup>55</sup>

This process starts with a Creative Synthesis, in which researchers integrate the Theoretical Construct from the first stage with Empirical Facts from the second stage to formulate an alternative solution.<sup>56</sup> This alternative's eligibility is tested through the checks-and-balances mechanism, which has a circular-dialectic characteristic, meaning that this solution must keep circulating and being tested to find the precise meeting point. The first feasibility test is conducted using the Legalist-Textual Validation (Bayani) to ensure legitimacy. The proposed solution must have a sturdy, well-supported argument; it cannot be wild or ahistorical. Researchers must conduct vertical and horizontal harmonization by

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<sup>54</sup> Wardiono et al., 'Epistemology of Legal Studies: Research Method Characteristics of Theoretical Law Bearers in Indonesia'.

<sup>55</sup> A. Zakiy, E. Saputra, and M. Ulfah, 'Konstruksi Nalar Arab Dalam Buku Takwin Al-Aql Al-Araby Karya Muhammad Abid Al-Jabiri', *Multidisciplinary Indonesian Center Journal (MICJO)* 1, no. 1 (2024): 469-481, <https://doi.org/10.62567/micjo.v1i1.53>.

<sup>56</sup> Sophia Anne Milleer, 'Integrating Local Wisdom and Global Knowledge to Develop Culturally Responsive Education Models', *Nusantara Education* 5, no. 1 (March 2026): 45-61, <https://doi.org/10.66325/nusantaraeducation.v5i1.257>.

juxtaposing this solution draft with legal hierarchies (constitutions/laws) and revelatory texts (the Qur'an/Sunnah) to ensure there is no collision of fundamental norms.<sup>57</sup> Apart from that, researchers must ensure that the new legal construction has a “house” in the constitution or in the verses of holy books as a legal basis for legitimacy. They must also ensure it uses legal language that meets legal drafting standards so that the legal community may accept it.<sup>58</sup>

After passing the legitimacy test, this solution offer must undergo the socio-critical validation table (*Burhani*) to test its functionality. It is not enough for legal solutions to be beautiful on paper or correct in their arguments; they must be logically tested and empirically able to resolve issues. Researchers need to conduct a logical-causal simulation to demonstrate that the proposed solution can truly cut the chain of causation (*causa prima*) identified in the field.<sup>59</sup> Further, researchers must ensure the availability of supporting instruments—such as budget, bureaucracy, and the people’s readiness—to guarantee that this solution is workable (can be carried out), rather than merely becoming a dreamy moral utopia.<sup>60</sup>

As the closing and the last safety lock, this solution is brought to the silent room of Ethical-Contemplative Validation (*Irfani*) to have its conscience tested. A solution that has a valid argument and logical techniques must be accepted with profound conscience. At this phase, researchers take a moment's distance from the pile of data and texts, then engage in a transcendental reflection, questioning whether this solution may be taken to heart in the face of God.<sup>61</sup> Researchers also practice “radical empathy” by placing themselves in the

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<sup>57</sup> D. Tabrozi, ‘Ijtihad Maqashid Sharia in the Thought of Asy-Syatibi and Muhammad At-Tahir Ibn Ashur’, *AlMazaahib: Jurnal Perbandingan Hukum* 13, no. 1 (2025): 1–28, <https://doi.org/10.14421/al-mazaahib.v13i1.4068>.

<sup>58</sup> Ni'Matul Huda, Idul Rishan, and Dian Kus Pratiwi, ‘Fast-Track Legislation: The Transformation of Law-Making Under Joko Widodo’s Administration’, *Yustisia* 13, no. 1 (2024): 117–133, <https://doi.org/10.20961/yustisia.v13i1.71061>.

<sup>59</sup> Abdurrahim Surahman et al., ‘Administrative Justice in the Perspective of Islamic Legal Philosophy: A Comparative Study of Ethical Legitimacy and Bureaucratic Rationality’, *Jurnal Ilmiah Mizani* 12, no. 2 (2025): 751–769, <https://doi.org/10.29300/mzn.v12i2.8269>.

<sup>60</sup> Brian Z. Tamanaha, (Oxford: Clarendon Press, 1997).

<sup>61</sup> S. Dewanti, ‘Standard Assessment Model for Scientific Integration-Interconnection as Material for Evaluation of Vision and Mission Achievement’, *Jurnal Kependidikan: Jurnal Hasil Penelitian Dan Kajian Kepustakaan Di Bidang Pendidikan, Pengajaran Dan Pembelajaran* 9, no. 3 (2023): 771, <https://doi.org/10.33394/jk.v9i3.8638>.

position of victims to gauge whether the given solution may truly heal the wounds or is merely a calming medicine. This process ends with diction cleansing, where researchers ensure that every word in the legal formulation breathes the spirit of liberation and affection and is free of the elements of revenge or exploitation.<sup>62</sup> From an axiological perspective, this entire reconstruction process will result in a legal product with Noetic characteristics. This is a perfect legal product, as it is not only textually “correct” (*Bayani*) and factually “logical” (*Burhani*), but also “just and liberating” according to the conscience (*Irfani*).<sup>63</sup>

### 3. Post-Research Stage: A Transcendental Reflection (Circular Motion)

Unlike the linear tradition of conventional legal methodology, in which the process is deemed complete after the conclusion is drawn and the report is closed, the noetic legal research methodology is circular-spiral. Research does not stop even if the legal solution has been found in Stage III, as it continues in the process of returning the knowledge to the Source of Knowledge (Transcendence). This stage is called the Transcendental Reflection. From an ontological perspective, this stage positions research activities not merely as an intellectual-academic activity, but as a form of worship and spiritual responsibility. Researchers are fully aware that every legal construction they build will be held accountable not only by scientific communities but also by God. Therefore, the motion that happens at this stage is “The Motion of Recirculating”, i.e., bringing the results of earthly reconstruction back to the heavens. This spirit is what Roger Garaudy calls the prophetic spirit, directed toward the spirit of *Isra Mi'raj*.

Muhammad Iqbal gives a profound illustration of this by differentiating between mystics and prophets. For mystics (sufi), the end goal is mortality (to become one with Truth or God), the highest climax of pleasure is meeting with the beloved God in the heavens. For them, returning to a world that is full of problems is a demotion. However, this is diametrically different from the Prophet (prophetic). For the prophet, the journey of ascending to the sky (*Mi'raj*) is only half the journey. The peak of the prophetic spirituality

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<sup>62</sup> Kasman and Budiono, ‘Reception of Muslims to the Ḥadīth Prohibition of Praying for Non-Muslim Spirits in a Multi-Religious Society’.

<sup>63</sup> Surahman et al., ‘Administrative Justice in the Perspective of Islamic Legal Philosophy: A Comparative Study of Ethical Legitimacy and Bureaucratic Rationality’.

is not “enjoying God alone” in the heavens, but the willingness to return to the earth.<sup>64</sup> In line with that, Garaudy stated that prophetic spirituality is not running away from reality, but rather taking transcendental energy to carry out social transformation. Allah the Almighty did not order the Prophet to live in the sky, but ordered him to return to the harsh Mecca to fight against the system of ignorance. Therefore, a noetic legal researcher cannot be satisfied only by finding theoretical truth (intellectual *mi'raj*). It also has the ethical obligation to “return” to sociological reality, bringing a legal solution that liberates human beings from the shackles of injustice. This is the true meaning of Liberative Reconstruction.<sup>65</sup>

From an epistemological perspective, the main instrument at this stage is the noetic ethical-contemplative approach (the *Irfani* basis) at the highest level, i.e., self-evaluation. At this silent stage, the sharp logics of the noetic socio-critical approach (the *Burhani* basis) and the strict noetic legalist-textual analysis (the *Bayani* basis) are put on rest for a moment. Their positions are substituted with the clearness of the heart to contemplate the essential impact of that research.<sup>66</sup>

In this reflective silence, researchers ask an existential question to themselves, “Does the legal solution that I offer truly bring mercy to the universe, or does it leave intellectual ego or academic arrogance?” The highest validity of a noetic work is examined here; it must be free from a nuance of hate or unjust partiality, and, on the contrary, it must bring peace (*salam*). Moreover, noetic research must have dual impacts: changing society (externally) and transforming researchers (internally). Researchers contemplate the tracks of Allah’s greatness that are found during research. Thus, this process culminates in an increase in the quality of faith and humility.<sup>67</sup> In the end, this cycle is closed with tentative awareness. Researchers humbly realize that the solution they offer is just a tentative truth rather than

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<sup>64</sup> A. Fanani et al., ‘Muhammadiyah’s Manhaj Tarjih: An Evolution of a Modernist Approach to Islamic Jurisprudence in Indonesia’, *Hts Teologiese Studies Theological Studies* 77, no. 4 (2021), <https://doi.org/10.4102/HTS.V77I4.6942>.

<sup>65</sup> Ansori, ‘Position of Fatwa in Islamic Law: The Effectiveness of MUI, NU, and Muhammadiyah Fatwas’, *Ijtihad Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (2022): 53–71, <https://doi.org/10.18326/ijtihad.v22i1.53-71>.

<sup>66</sup> A. Salaeh et al., ‘Character Education Concepts in Ihya’ Ulumuddin’, *Southeast Asian Journal of Islamic Education* 5, no. 2 (2023): 231–241.

<sup>67</sup> Surahman et al., ‘Administrative Justice in the Perspective of Islamic Legal Philosophy: A Comparative Study of Ethical Legitimacy and Bureaucratic Rationality’.

an absolute one. This awareness prevents the birth of theoretical fanaticism. Legal products produced today may become texts that future generations of researchers need to demystify. Therefore, this stage becomes a departure point for new research cycles of a higher hierarchy, where scientific knowledge does not die as dogma but continues to grow, ascending the spiral stairs to achieve the absolute truth.<sup>68</sup>

### **Theoretical Contribution and Trans-Epistemological Significance**

The final stage of analysis examines the broader theoretical implications of the Noetic Triadic Spiral Model for contemporary legal theory. Any proposal for methodological reconstruction must ultimately be assessed not only by its internal coherence but by its capacity to reshape scholarly discourse, clarify conceptual tensions, and offer a durable framework for future inquiry. In this regard, the Noetic Triadic Spiral Model contributes at three interrelated levels: structural epistemology, dialectical reconciliation, and comparative legal philosophy. Together, these dimensions establish its trans-epistemological significance.

First, the model reconceptualizes epistemic integration as structural rather than rhetorical. Much of contemporary discourse on legal reform employs the language of integration—calls to reconcile text and context, tradition and modernity, or law and ethics.<sup>69</sup> However, such appeals often remain programmatic. They emphasize the desirability of synthesis without clarifying the architecture through which synthesis operates. As a result, integration becomes an aspirational slogan rather than an operational framework.

The Noetic Triadic Spiral Model addresses this limitation by articulating a concrete structure of interaction among revelation, reason, and empirical reality. It specifies not only that these domains must be integrated, but how they interrelate in a dynamic interpretive process. By conceptualizing legal reasoning as a spiral rather than a linear process, the model provides a methodological grammar that institutionalizes reflexivity. Revelation retains normative primacy, reason mediates systematically, and empirical reality functions as contextual validation—each within an iterative cycle. This structural clarity fills a

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<sup>68</sup> Kjelling and Markeng, 'Because I Have Knowledge': Young Muslims' Experiences of Moving between the Mosque and the Public School'.

<sup>69</sup> Vincentius Setyawan and Bariah Safrut, 'Rethinking Law and Justice: The Core Principles of Critical Legal Studies against Legal Formalism', *NUSANTARA: Journal Of Law Studies* 4, no. 2 (October 2025): 74–85, <https://doi.org/10.5281/zenodo.17332128>.

significant gap in contemporary scholarship, where epistemological integration is frequently invoked but rarely formalized.

Empirically, this structural turn is crucial because fragmentation in legal discourse has often manifested as oscillation between poles. Debates over gender equity, financial innovation, or state legislation frequently polarize into textual conservatism versus contextual reformism. Without a shared structural vocabulary, such debates tend to reproduce binary oppositions rather than resolve them. The spiral model reframes these debates by situating both poles within a larger epistemic system. Integration becomes not a compromise but a structured interaction grounded in identifiable principles.

Second, the model transcends binary oppositions between textualism and contextualism. Contemporary legal theory has often been narrated as a contest between fidelity to classical doctrine and responsiveness to modern realities. This dichotomy has shaped both academic and public discourse, reinforcing the perception that jurists must choose between authenticity and relevance. The spiral configuration challenges this narrative by demonstrating that textual fidelity and contextual responsiveness are not mutually exclusive. Rather, they are mutually constitutive moments within an iterative process.

Textual engagement remains indispensable because it anchors interpretation in revelation. Contextual responsiveness is equally indispensable because it ensures that law remains meaningful within lived experience. The spiral model integrates these dimensions without subordinating any of them. Each interpretive cycle begins with normative orientation and moves through contextual analysis, returning to revelation for renewed reflection. In this sense, the spiral structure does not dissolve tension; it disciplines it. Tension becomes productive rather than paralyzing.

This reconceptualization has broader theoretical implications. By rejecting static hierarchies and linear trajectories, the model aligns Islamic faith and legal theory with contemporary epistemological insights regarding the dynamic nature of knowledge. However, it does so without surrendering to relativism. The iterative return to revelation maintains continuity, while the openness to empirical engagement ensures vitality. The result is a methodological stance that is neither defensive nor unmoored—a balance rarely achieved in polarized reform debates.

Third, the model contributes to comparative legal philosophy by demonstrating that jurisprudence possesses internal resources for epistemic renewal. A persistent narrative in global academic discourse holds that meaningful reform in law requires adopting external paradigms—whether secular legal positivism, liberal rights frameworks, or modernist rationalism. While cross-cultural dialogue is valuable, such narratives risk portraying Islamic<sup>70</sup> legal theory as epistemically dependent or historically static.

The Noetic Triadic Spiral Model challenges this assumption by grounding reconstruction within the tradition's own triadic foundations. Revelation, reason, and reality have always been integral to jurisprudence; what changes is not their presence, but their structural articulation.<sup>71</sup> By reconfiguring these elements into a spiral framework, the model demonstrates that renewal can emerge organically from within the tradition. This internal reconstruction enhances the tradition's capacity for dialogue without eroding its distinctive identity.

From a trans-epistemological perspective, the model also facilitates engagement across knowledge systems. Contemporary legal challenges are rarely confined to theological discourse; they intersect with economics, medicine, environmental science, and political theory. The spiral structure provides a mechanism for incorporating such knowledge without collapsing epistemic boundaries. External disciplines inform the interpretive process at the level of empirical reality, mediated by reason and oriented by revelation. This architecture preserves normative coherence while enabling intellectual openness.

In addressing the central research question—how legal methodology can be reconstructed through a trans-epistemological spiral structure integrating revelation, reason, and empirical reality—the findings affirm that such reconstruction is both conceptually feasible and theoretically robust.<sup>72</sup> The spiral configuration ensures adaptability without relativism, continuity without rigidity, and engagement without

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<sup>70</sup> Mashdurohaturun, Anis, Eid Abed Alhaleem Maslat Harahsheh, Muhammad Irwan Datuiding, Abun Hasbulloh Syambas, and Prasetyo Adhi Wibowo. "Contemporary Reassessment of Punishment in Islamic and Secular Law: A Comparative Study of Justice and Penal Philosophy." *MILRev: Metro Islamic Law Review* 5, no. 1 (2026): 80-100. DOI: <https://doi.org/10.32332/milrev.v5i1.11887>

<sup>71</sup> Jingyang Li et al., 'Advanced Dialog State Tracking with Noetic Graphs for Complex Human-Machine Interactions', *Pattern Recognition* 168 (2025), <https://doi.org/10.1016/j.patcog.2025.111842>.

<sup>72</sup> Amal Teguh Nugraha, 'Contemporary International Treaties Seen From the Principles of Maqasid Ash-Shariah', *Law and Justice* 7, no. 1 (October 2022): 63-75, <https://doi.org/10.23917/laj.v7i1.604>.

dilution.<sup>73</sup> It transforms methodological tension into iterative dialogue, institutionalizing reflexivity as a core feature rather than an ad hoc response.

Moreover, the model repositions legal methodology as a dynamic intellectual tradition capable of self-renewal. Historically, jurisprudence evolved through scholarly debate, regional adaptation, and methodological refinement.<sup>74</sup> The spiral model extends this heritage into contemporary conditions characterized by rapid technological change and epistemic pluralism. It does not propose rupture with the past but invites rearticulation of foundational principles in light of evolving realities.

Ultimately, the theoretical contribution of the Noetic Triadic Spiral Model lies in its capacity to move beyond metaphor toward methodological architecture.<sup>75</sup> It offers not merely a descriptive account of integration, but a prescriptive framework for disciplined interpretive engagement. By clarifying the structural interaction among revelation, reason, and reality, it provides a coherent foundation for ongoing renewal (*tajdid*) within legal thought. In doing so, it affirms that fidelity and reform are not competing imperatives, but complementary dimensions of a living epistemic tradition grounded in divine guidance and human responsibility.

## CONCLUSION

This study demonstrates that reconstructing legal methodology through the Noetic Triadic Spiral Model is both theoretically coherent and contextually relevant in contemporary settings. By positioning revelation, reason, and empirical reality within a dynamic spiral relationship, the research shows that methodological renewal need not lead to relativism, and that fidelity to the text need not imply rigidity. The findings indicate that the polarization between textualism and contextualism can be addressed through an iterative epistemic architecture—where revelation remains the normative anchor, reason serves as a methodological mediator, and empirical reality provides the space for contextual

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<sup>73</sup> Hamda Sulfinadia et al., 'Negotiating Islamic Inheritance and Customary Law: Functional Legal Pluralism and Matrilineal Pusako Randah in Minangkabau', *Journal of Islamic Law* 7, no. 1 (February 2026): 1–30, <https://doi.org/10.24260/jil.v7i1.3743>.

<sup>74</sup> Mr Shakir Hussain and Dr Ashfaq Ahmed, 'Maqasid Al-Shariah and Its Influence on Islamic Governance and Policy: A Framework for Contemporary Reform', *Journal of Religion and Society* 4, no. 02 (October 2025): 277–287.

<sup>75</sup> Hemal P. Trivedi, 'A Comparative Model of Mysticism: Cognitive Neuroscience, Phenomenal Experiences, and Noetic Accounts', *Archive for the Psychology of Religion* 47, no. 2 (2025): 133–156, <https://doi.org/10.1177/00846724241265870>.

verification. Thus, the main contribution of this study is not merely a conceptual metaphor but the formulation of a systematic epistemological framework that enables Islamic faith objectification to adapt to contemporary complexity while retaining its theological foundations.

Nonetheless, this study also opens avenues for further research. The current analysis is primarily theoretical and conceptual, so future studies could focus on applying this model to concrete issues such as finance, bioethics, family law, or governance. Comparative research with contemporary legal theories—within civil law, common law, or critical legal philosophy—could further enrich the trans-epistemological dimension of the model. An empirical investigation into how practitioners and fatwa institutions integrate revelation, reason, and reality in modern *ijtihad* would provide additional validation. With such development, the Noetic Triadic Spiral Model has the potential to evolve from a theoretical framework into an operational paradigm for the ongoing renewal of Islamic legal thought.

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#### **AUTHOR CONTRIBUTIONS**

Kelik Wardiono served as the founding idea, conceptualising and designing the research framework, supervising the overall research process, and providing critical revisions to the manuscript. Arief Budiono contributed to the development of the theoretical framework, legal analysis, and interpretation of the research findings. Isman was responsible for data collection, literature review, and the initial drafting of several sections of the manuscript. Arova Bakhtiar contributed to data analysis, methodological refinement, and the organisation of the research results. Dwinuryidha Ken Rifqi assisted in compiling references, editing the manuscript, and ensuring the consistency and accuracy of the final version of the article. All authors discussed the results and approved the final manuscript.

#### **CONFLICT OF INTEREST**

The authors declare that there is no conflict of interest regarding the publication of this paper. This research was conducted independently, without any financial, commercial, or personal relationships that could be construed as a potential conflict of interest. All interpretations, analyses, and conclusions presented in this article are solely those of the authors and were carried out in accordance with academic and ethical research standards.

## AI USAGE STATEMENT

AI tools were used solely for language editing and formatting. All ideas, analyses, interpretations, and conclusions are entirely the authors' own, and all AI-assisted outputs were reviewed to ensure academic integrity.

## BIBLIOGRAPHY

Al-Attas, Syed Muhammad Naquib. *Prolegomena to the Metaphysics of Islam*. Kuala Lumpur: ISTAC, 1995.

Alias, Muhammad Nazir, Muhammad Najib Abdullah, Mohd Farihal Osman, Nor Faizah Ismail, and Mohd Sham Kamis. 'The Position of Maqasid Al-Shariah within Islamic Legal Sources: A Comprehensive Analysis'. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 9, no. 2 (July 2025): 937-964. <https://doi.org/10.22373/q4byre51>.

Amuli, Ayatullah Jawadi. *The Status of Reason in the Life of Man*. Qom: Isra Publication, 1905.

Ansori. 'Position of Fatwa in Islamic Law: The Effectiveness of MUI, NU, and Muhammadiyah Fatwas'. *Ijtihad Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (2022): 53-71. <https://doi.org/10.18326/ijtihad.v22i1.53-71>.

Auda, Jasser. *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. London: IIIT, 2008.

Aulia, M. Z., B. F. Hantoro, W. Sanjaya, and m. Ali. 'The Use of Progressive Law Phrase in Constitutional Court Decisions: Context, Meaning, and Implication'. *Jurnal Konstitusi* 20, no. 3 (2023): 423-450. <https://doi.org/10.31078/jk2034>.

- Bhaskar, Roy. *A Realist Theory of Science*. London: Verso, 2008.
- Blau, Adrian. 'Social Science and Its Critics: An Ideological Analysis'. *Social Philosophy and Policy* 41, no. 1 (June 2024): 158–180.  
<https://doi.org/10.1017/S0265052524000372>.
- Budiono, A., Y. Prasetyo, K. Wardiono, W. Yuspin, K. Dimiyati, and D. Iriani. 'Legal Conscience and the Pressure of the Formal Law System'. *Wisdom* 2, no. 22 (2022): 223–233.
- Budiono, A., W. Yuspin, S. S. Nurani, F. Fairuzzaman, S. W. A. Pradnyawan, and S. D. Sari. 'The Anglo-Saxon System of Common Law and the Development of the Legal System in Indonesia'. *WSEAS Transactions on Systems* 22, no. 2023 (2023): 207–213.  
<https://doi.org/10.37394/23202.2023.22.21>.
- Dewanti, S. 'Standard Assessment Model for Scientific Integration-Interconnection as Material for Evaluation of Vision and Mission Achievement'. *Jurnal Kependidikan: Jurnal Hasil Penelitian Dan Kajian Kepustakaan Di Bidang Pendidikan, Pengajaran Dan Pembelajaran* 9, no. 3 (2023): 771. <https://doi.org/10.33394/jk.v9i3.8638>.
- Dworkin, Ronald. *Taking Rights Seriously*. Cambridge: Harvard University Press, 1977.
- Fanani, A., A. I. Hamzani, N. Khasanah, and A. Sofanudin. 'Muhammadiyah's Manhaj Tarjih: An Evolution of a Modernist Approach to Islamic Jurisprudence in Indonesia'. *Hts Teologiese Studies Theological Studies* 77, no. 4 (2021).  
<https://doi.org/10.4102/HTS.V77I4.6942>.
- Fatarib, Husnul, Zezen Zainul Ali, Nur Aziz Arifin, Abdul Najib, and Muhammad Nur Fathoni. 'Progressive Legal Reasoning in Contemporary Islamic Legal Reform: Negotiating the Maqāṣid and Hermeneutic Approaches'. *JURIS (Jurnal Ilmiah Syariah)* 24, no. 2 (December 2025): 277–294.  
<https://doi.org/10.31958/juris.v24i2.16123>.
- Gadamer, Hans-Georg. *Truth and Method*. New York: Continuum, 2004.
- Golden, B. *Critical Legal Studies, Elgar Concise Encyclopedia of Legal Education*. Edward Elgar Publishing Ltd, 2025. <https://doi.org/10.4337/9781035302932.ch30>.

- Habermas, Jürgen. *Knowledge and Human Interests*. Boston: Beacon Press, 1971.
- Hallaq, Wael B. *Authority, Continuity and Change in Islamic Law*. Cambridge: Cambridge University Press, 2001.
- Hammadi, Hammad Farhan, Ahmed Mohamed Ahmed, Fajar Amansyah, Ahmad Rajafi, Omer Mohamed Taha Alkanan, and Israa Natiq Jabbar. 'Contemporary Challenges and the Future of Islamic Law: Toward Ethical and Institutional Renewal'. *Al-Daulah : Jurnal Hukum Pidana Dan Ketatanegaraan* 14, no. 1 (June 2025): 43-61. <https://doi.org/10.24252/al-daulah.v14i1.58186>.
- . 'Contemporary Challenges and the Future of Islamic Law: Toward Ethical and Institutional Renewal'. *Al-Daulah : Jurnal Hukum Pidana Dan Ketatanegaraan* 14, no. 1 (June 2025): 43-61. <https://doi.org/10.24252/al-daulah.v14i1.58186>.
- Heidegger, Martin. *Being and Time*. Oxford: Blackwell, 1927.
- Helaluddin, and Hengki Wijaya. *Analisis Data Kualitatif: Sebuah Tinjauan Teori & Praktik*. Sekolah Tinggi Theologia Jaffray, 2019.
- 'Hermeneutics Controversies in Contemporary Islamic Studies'. *Kalam* 17, no. 2 (December 2023): 147-170. <https://doi.org/10.24042/002023171465000>.
- Huda, Ni'Matul, Idul Rishan, and Dian Kus Pratiwi. 'Fast-Track Legislation: The Transformation of Law-Making Under Joko Widodo's Administration'. *Yustisia* 13, no. 1 (2024): 117-133. <https://doi.org/10.20961/yustisia.v13i1.71061>.
- Hussain, Mr Shakir, and Dr Ashfaq Ahmed. 'Maqasid Al-Shariah and Its Influence on Islamic Governance and Policy: A Framework for Contemporary Reform'. *Journal of Religion and Society* 4, no. 02 (October 2025): 277-287.
- Karimullah, Suud Sarim. 'From Divine Revelation to Legal Practice: Contextualizing Islamic Law in the Contemporary Era'. *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 59, no. 1 (June 2025): 36-47. <https://doi.org/10.14421/ajish.v59i1.1336>.
- Kasman, M., and A. Budiono. 'Reception of Muslims to the Ḥadīth Prohibition of Praying for Non-Muslim Spirits in a Multi-Religious Society'. *Journal of Ecohumanism* 3, no. 4 (2024): 1-8. <https://doi.org/10.62754/joe.v3i4.3457>.

- Kjelling, A. G., and S. Markeng. 'Because I Have Knowledge': Young Muslims' Experiences of Moving between the Mosque and the Public School'. *British Journal of Religious Education*, 2025, 1-14. <https://doi.org/10.1080/01416200.2025.2524035>.
- Laksana, Andri Winjaya, Muhammad Ridwan Lubis, Denny Suwondo, Muhammad Ngazis, and Ratih Mega Puspa Sari. 'Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy'. *MILRev: Metro Islamic Law Review* 4, no. 1 (June 2025): 416-439. <https://doi.org/10.32332/milrev.v4i1.10665>.
- Li, Jingyang, Shengli Song, Sitong Yan, Guangneng Hu, Chengen Lai, and Yulong Zhou. 'Advanced Dialog State Tracking with Noetic Graphs for Complex Human-Machine Interactions'. *Pattern Recognition* 168 (2025). <https://doi.org/10.1016/j.patcog.2025.111842>.
- Lukács, Georg. *History and Class Consciousness*. Cambridge: MIT Press, 1971.
- Mahdi, Imam, Etry Mike, and Arini Azka Mutia. 'Contextualizing Islamic Law in Resolving Customary Land Conflicts: A Siyasa Syar'iyah Approach to the Semende Tribe's Dispute in Bukit Barisan Selatan National Park'. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 12, no. 2 (November 2025): 696-710. <https://doi.org/10.29300/mzn.v12i2.8619>.
- Maryanto, Muh Isna Nurdin Wibisana, and Bambang Sumardjoko. 'Contemporary Islamic Legal Perspectives on Qualification Policy Politics in Indonesia'. *MILRev: Metro Islamic Law Review* 4, no. 2 (August 2025): 1009-1027. <https://doi.org/10.32332/milrev.v4i2.11305>.
- Milleer, Sophia Anne. 'Integrating Local Wisdom and Global Knowledge to Develop Culturally Responsive Education Models'. *Nusantara Education* 5, no. 1 (March 2026): 45-61. <https://doi.org/10.66325/nusantaraeducation.v5i1.257>.
- Nonet, Philippe, and Philip Selznick. *Law and Society in Transition: Toward Responsive Law*. Milton Park, Abingdon-on-Thames: Taylor and Francis, 2017. <https://doi.org/10.4324/9780203787540>.

- Nugraha, Amal Teguh. 'Contemporary International Treaties Seen From the Principles of Maqasid Ash-Shariah'. *Law and Justice* 7, no. 1 (October 2022): 63-75. <https://doi.org/10.23917/laj.v7i1.604>.
- Nurani, Nina, Apriwandi Apriwandi, and Hafied Noor Bagja. 'Intellectual Property Rights Law Reform Based on Maqāṣid Al-Sharī'ah as a Model for Green Business-Based Creative Industry Protection to Support Sustainable Development'. *De Jure: Jurnal Hukum Dan Syar'iah* 18, no. 1 (February 2026): 1-32. <https://doi.org/10.18860/j-fsh.v18i1.40840>.
- Prawira, Ilham Abdi, Rahmad Setyawan, and Fahlul Ulum Ahmad Adnani. 'The Paradigm Shift of Maqāṣid Al-Syarī'ah in Contemporary Society: From Protection to Development'. *Academica: Journal of Multidisciplinary Studies* 9, no. 2 (December 2025): 22-32. <https://doi.org/10.22515/academica.v9i2.14126>.
- Rafiu, Achmad, Muh Alghifari, and Kurniati. 'The Maqasid Syariah Paradigm as an Innovation in Islamic Law in Jasser Auda's Thought'. *Al-Ilmiya: Jurnal Pendidikan Islam* 1, no. 4 (February 2026): 1845-1854.
- Reeves, Josh A. 'Exemplars in "Science and Religion": A Theological Dialogue with Thomas Kuhn'. *Religious Studies* 61 (2025): 204-215. <https://doi.org/10.1017/S0034412523000975>.
- Ricoeur, Paul. *Interpretation Theory: Discourse and the Surplus of Meaning*. Fort Worth: TCU Press, 1976.
- Rofiq, M. 'Arab Political Reasoning: Muhammad Abid al-Jabiri's Contribution for Understanding Crisis of Politics in the Arab World'. *Indonesian Journal of Islam and Muslim Societies* 7, no. 1 (2017): 55-76. <https://doi.org/10.18326/ijims.v7i1.55-76>.
- Rohid, Nibrosu, Rahma Sugihartati, Bagong Suyanto, Daniel Susilo, and Afriul Zikri. 'Digital Activism in Contemporary Islamic Politics: A Critical Analysis of Social Media's Impact on Islamic Movements'. *MILRev: Metro Islamic Law Review* 4, no. 1 (April 2025): 208-233. <https://doi.org/10.32332/milrev.v4i1.10159>.

- Safi, L. *The Foundation of Knowledge: A Comparative Study in Islamic and Western Methods of Inquiry*. Kuala Lumpur: IIUM Press, 1996.
- Salaeh, A., N. Saha, N. Khair, D. Djabir, and P. Hamed. 'Character Education Concepts in Ihya' Ulumuddin'. *Southeast Asian Journal of Islamic Education* 5, no. 2 (2023): 231-241.
- Schuon, Frithjof. *The Transcendent Unity of Religions*. Wheaton: Quest Books, 1993.
- Setyawan, Vincentius, and Bariah Safrut. 'Rethinking Law and Justice: The Core Principles of Critical Legal Studies against Legal Formalism'. *NUSANTARA: Journal Of Law Studies* 4, no. 2 (October 2025): 74-85. <https://doi.org/10.5281/zenodo.17332128>.
- . 'Rethinking Law and Justice: The Core Principles of Critical Legal Studies against Legal Formalism'. *NUSANTARA: Journal Of Law Studies* 4, no. 2 (October 2025): 74-85. <https://doi.org/10.5281/zenodo.17332128>.
- Siddiq, Armia Muhammad. 'Constitutional Court and Judicial Review: Lesson Learned for Indonesia'. *Negara Hukum* 8, no. 1 (2017): 107-130. <https://doi.org/10.22212/jnh.v8i1.940>.
- Soekanto, Soerjono. *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*. Jakarta: RajaGrafindo Persada, 2008.
- Solum, Lawrence B. 'Virtue Jurisprudence: A Virtue-Centred Theory of Judging'. *Metaphilosophy* 34, nos 1-2 (2003): 178-213.
- Sukris, Ahmad, Anwar Hafidzi, Nurul Listiyani, Tetiana Kolomoiets, and Afif Khalid. 'Restorative Justice Principles in Banjar Customary Inheritance Disputes: A Normative Analysis of Out-of-Court Settlement Institutions through Adat Badamai'. *El-Mashlahah* 15, no. 2 (December 2025): 415-436. <https://doi.org/10.23971/el-mashlahah.v15i2.10047>.
- Sulfinadia, Hamda, Jurna Petri Roszi, Mega Puspita, A'zizil Fadli, and Amirullhakim bin Ahmad Nadzri. 'Negotiating Islamic Inheritance and Customary Law: Functional

- Legal Pluralism and Matrilineal Pusako Randah in Minangkabau'. *Journal of Islamic Law* 7, no. 1 (February 2026): 1-30. <https://doi.org/10.24260/jil.v7i1.3743>.
- Surahman, Abdurrahim, W. Anandy, F. Hamdani, and U. Nnawulezi. 'Administrative Justice in the Perspective of Islamic Legal Philosophy: A Comparative Study of Ethical Legitimacy and Bureaucratic Rationality'. *Jurnal Ilmiah Mizani* 12, no. 2 (2025): 751-769. <https://doi.org/10.29300/mzn.v12i2.8269>.
- Suteki, and A. Natalis. 'Mainstreaming Progressive Law: Toward an Emancipatory Paradigm in Legal Higher Education'. *Cadernos de Direito Actual* 2025, no. 27 (2025): 160-183.
- Tabrozi, D. 'Ijtihad Maqashid Sharia in the Thought of Asy-Syatibi and Muhammad At-Tahir Ibn Ashur'. *Al-Mazaahib: Jurnal Perbandingan Hukum* 13, no. 1 (2025): 1-28. <https://doi.org/10.14421/al-mazaahib.v13i1.4068>.
- Tamanaha, Brian Z. Oxford: Clarendon Press, 1997.
- Trivedi, Hemal P. 'A Comparative Model of Mysticism: Cognitive Neuroscience, Phenomenal Experiences, and Noetic Accounts'. *Archive for the Psychology of Religion* 47, no. 2 (2025): 133-156. <https://doi.org/10.1177/00846724241265870>.
- Wardiono, K. 'Prophetic: An Epistemological Offer for Legal Studies'. *Journal of Law and Justice* 1, no. 1 (2019): 17-41. <https://doi.org/10.23917/jtl.v1i1.8797>.
- Wardiono, Kelik, Dimyati Khudzaifah, W. Yuspin, Tasyha Panji Nugraha, A. Budiono, and S. Rochman. 'Epistemology of Legal Studies: Research Method Characteristics of Theoretical Law Bearers in Indonesia'. *Journal of Ecohumanism* 3, no. 3 (2024): 814-854. <https://doi.org/10.62754/joe.v3i3.3374>.
- Zagzebski. *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundations of Knowledge*. Cambridge: Cambridge University Press, 1996.
- Zakiy, A., E. Saputra, and M. Ulfah. 'Konstruksi Nalar Arab Dalam Buku Takwin Al-Aql Al-Araby Karya Muhammad Abid Al-Jabiri'. *Multidisciplinary Indonesian Center Journal (MICJO)* 1, no. 1 (2024): 469-481. <https://doi.org/10.62567/micjo.v1i1.53>.

- Zaprulkhan, Zaprulkhan. 'Maqāṣid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda'. *Walisongo: Jurnal Penelitian Sosial Keagamaan* 26, no. 2 (December 2018): 445–472. <https://doi.org/10.21580/ws.26.2.3231>.
- . 'Maqāṣid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda'. *Walisongo: Jurnal Penelitian Sosial Keagamaan* 26, no. 2 (December 2018): 445–472. <https://doi.org/10.21580/ws.26.2.3231>.
- Zuhdi, Muhammad Harfin, and Mohamad Abdun Nasir. 'Al-Mashlahah and Reinterpretation of Islamic Law in Contemporary Context'. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (October 2024): 1818–1839. <https://doi.org/10.22373/sjkh.v8i3.24918>.
- Zulfa, Firda Arina, Mukhsin Achmad, Davud Soyly, and Fadhil. 'Mapping Contemporary Islamic Legal Thought in Indonesia: A Dialog Between Fiqh And The Culture of the Archipelago'. *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 7, no. 1 (March 2025): 177–202. <https://doi.org/10.20885/mawarid.vol7.iss1.art10>.