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Prophetic Law in Modern Business: Integration of Humanization, Liberation, and Transcendence in Commercial Contracts

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Abstract

Introduction: Economic globalization has significantly influenced the practice of business law, particularly commercial contracts that are increasingly complex, cross-border in nature, and dominated by capitalist interests. Contracts, which ideally serve as instruments of justice, often function as tools of domination by stronger parties over weaker ones, thereby neglecting humanitarian, ethical, and spiritual dimensions.

Purposes of the Research: The purpose of this research is to analyze how the principles of prophetic law can be integrated into modern commercial contract practices and to identify the challenges arising in the era of globalization.

Methods of the Research: This study employs normative legal research with a conceptual approach, examining the principles of prophetic law and linking them to contemporary business law practices. The data were analyzed qualitatively through a review of legal literature, philosophical discourse, and modern commercial contract practices.

Results Main Findings of the Research: The findings indicate that the principle of humanization plays a crucial role in restoring contracts to their human dignity by protecting weaker parties; the principle of liberation calls for the elimination of exploitative contractual practices; while the principle of transcendence stresses the necessity of embedding ethical and spiritual values in business. The challenges of integration include the dominance of global capitalism, rigid digital contract frameworks, and the weak moral awareness of business actors. The originality of this study lies in its systematic effort to connect prophetic law with modern commercial contract practices, thereby offering a new paradigm for global business law that is more just, humane, and sustainable.

Keywords: Prophetic Law; Commercial Contracts; Humanization, Liberation and Transcendence; Modern Business Law.

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INTRODUCTION

The development of modern business in the era of globalization has brought about fundamental changes in how people interpret economic activity. Business activities, previously understood solely as material transactions, have now evolved into part of more complex social, cultural, and political systems. Globalization expands the horizons of trade through digital technology, market liberalization, and increased intensity of interactions

¹ Saefullah Saefullah, "Transformasi Konsep Kepemilikan Harta Dalam Hukum Bisnis Dan Konteks Sejarahnya," *Jurnal Usm Law* Review 7, no. 1 (2024): 514-27, https://doi.org/10.26623/JULR.V7I1.8557.



between countries.² Konsekuensi dari fenomena ini adalah meningkatnya kompleksitas hubungan hukum yang mengatur kontrak, investasi, dan kerja sama lintas batas. Di balik keberhasilan yang ditawarkan, globalisasi juga menghadirkan ketimpangan sosial, eksploitasi sumber daya, dan ketidakadilan distribusi yang semakin nyata di berbagai negara.³

Economic modernization driven by capitalism has given rise to various business practices that emphasize efficiency, maximum profits, and speed of transactions.⁴ In practice, profit orientation often displaces human values, ethics, and spirituality.⁵ The phenomena of labor exploitation, corporate monopolies, and practices that ignore environmental sustainability reveal the dark side of a business system based solely on market logic.⁶ On the other hand, law as a controlling instrument should not only be present as a technical device that regulates contracts and disputes, but also as a means to maintain substantive justice. Therefore, the urgency of presenting a legal paradigm that is more laden with ethical and spiritual values is becoming increasingly urgent.

The idea of prophetic law offers an alternative paradigm that is relevant to counterbalancing the currents of modern capitalism. Prophetic law is rooted in three main principles: humanization, liberation, and transcendence.⁷ Humanization emphasizes the importance of humanizing humans in every legal and business practice, so that contracts are not only profit-oriented, but also maintain human dignity and rights.⁸ Liberation means liberation from oppressive business structures, both towards individuals, society and the environment.⁹ Meanwhile, transcendence places the spiritual aspect as a moral foundation in building a just legal system. ¹⁰ These three principles make prophetic law not just a normative concept, but also an offer of social transformation in modern business.

The relevance of prophetic law in modern business becomes increasingly apparent when looking at the phenomenon of the crisis of confidence in conventional contract mechanisms. Business contracts built solely on the principles of consensualism and formal legal certainty often fail to provide substantive justice. There are many cases where parties who are economically or informationally weak become victims of detrimental contractual practices. Detrimental contractual practices include employment contracts that harm workers, non-

² Siti Wela Aliza et al., "Pengaruh Globalisasi Terhadap Kebijakan Ekonomi Nasional," *Hikamatzu* | *Journal of Multidisciplinary* 2, no. 1 (2025): 175–88, https://yasyahikamatzu.com/index.php/hjm/article/view/272.

³ Ni Luh Putu Della Sesilya Putri and Ni Wayan Widi Astuti, "Dampak Globalisasi Dampak Globalisasi Terhadap Ketidaksetaraan Ekonomi Di Negara Berkembang," *PROSPEK* 4, no. 1 (2025): 95–103, https://ojs.mahadewa.ac.id/index.php/prospek/article/view/4302.

⁴ Moh. Nasrul Arief Setiawan Adam, Dewi Indrayani Hamin, and Hasim Hasim, "Perbandingan Sistem Ekonomi Sosialisme, Kapitalisme, Dan Ekonomi Syariah: Sebuah Analisis Kritis Terhadap Prinsip, Implementasi, Dan Dampak Sosial," *JamburA: Jurnal Ilmiah Manajemen Dan Bisnis* 7, no. 2 (2024): 1011–24, https://doi.org/10.37479/JIMB.V7I2.27698.

⁵ Nadine Wulan Wijaya Putri, Nahya Nahya, and Tathia Putri Inasyah, "Etika Dan Spiritualitas Dalam Teori Produksi Ekonomi Islam Menuju Produktivitas Berkelanjutan," *Jurnal Ilmiah Ekonomi, Manajemen, Bisnis Dan Akuntansi* 2, no. 4 (2025): 131–42, https://doi.org/10.61722/JEMBA.V2I4.1097.

⁶ Nurman and Hamsal, Ekonomi Dan Etika: Sebuah Pendekatan Filsafat Moral, ed. Zulkifli Toguan and Al Sukri (Jakarta: Indonesia Delapan Kreasi Nusa, 2025).

⁷ Laely Nurhayati, "'Pendidikan Profetik Pada Masa Nabi Muhammad SAW: Telaah Historis Transformasi Sosial Melalui Nilai Tauhid, Humanisasi, Dan Liberasi' | Jurnal Kajian Islam Dan Sosial Keagamaan," *Jurnal Kajian Islam Dan Sosial Keagamaan* 2, no. 4 (2025): 951–56, https://jurnal.ittc.web.id/index.php/jkis/article/view/2896.

⁸ Ismaidar I, Aruf Bahirra, and Samuel Hutabarat, "Perlindungan Hukum Terhadap Pekerja Kontrak Dalam Hubungan Kerja Di Indonesia," *Media Hukum Indonesia (MHI)* 3, no. 3 (2025): 76–80, https://doi.org/10.5281/ZENODO.15580880.

⁹ Heri Sulaiman, Ramzi Durin, and Desi Purnama, "Hak Atas Mendapatkan Kehidupan Yang Berkeadilan: Analisis Falsafah Pancasila Sila Ke Lima," *Dame Journal of Law* 1, no. 1 (2025): 25–44, https://doi.org/10.64344/DJL.V1I1.5.

¹⁰ Irwan Fauzy Ridwan, "Penguatan Pilar Tauhid Dan Keadilan Dalam Membangun Ekonomi Syariah Yang Responsif Terhadap Tantangan Ekonomi Global," *Equality: Journal of Islamic Law (EJIL)* 3, no. 2 (2025): 131–44, https://doi.org/10.15575/EJIL.V3I2.1962.

transparent investment agreements, or sales contracts that injure consumer interests.¹¹ This situation demonstrates the need for a more inclusive legal approach, one that is able to balance legal certainty with moral values, ethics, and spirituality.

The integration of prophetic law in commercial contracts is not just a normative ideal, but a practical necessity in creating a sustainable business system. Ethical and just business practices have been proven to increase consumer trust, strengthen corporate image, and maintain market stability. Therefore, the application of the principles of humanization, liberation, and transcendence can be a bridge between the needs of positive law and universal values that are respected by cross-cultural societies. Thus, prophetic law has the potential to fill the void left by legal positivism, which is too rigid, and the market economy, which tends to be pragmatic.

The application of prophetic law is also in line with the needs of modern business for sustainability and social responsibility. Global companies are now required not only to generate profits, but also to protect the environment, protect workers' rights, and pay attention to the welfare of society. The increasingly popular principle of corporate social responsibility (CSR) is evidence that the business world is beginning to recognize the importance of integrating ethical values into economic practices. However, CSR is often implemented merely as a formality without a deep moral awareness. In this context, prophetic law can be a stronger philosophical basis for ensuring that business practices are truly aligned with human values and spirituality, not just regulatory demands or corporate branding.

The urgency of research on prophetic law in modern business is also related to the increasing intensity of international commercial contracts. Globalization has brought together different legal systems with diverse cultural values, creating clashes in contract implementation. Different standards of worker protection between countries often give rise to unfair practices against migrant workers. Likewise, cross-country investment agreements have the potential to harm local communities because they only emphasize the interests of foreign investors. In this framework, prophetic law offers a universal ethical basis that can be a meeting point between civilizations in building a fairer contract system.

At the national level, the integration of prophetic law in commercial contracts can strengthen the development of law that is substantially just. Legal reforms that have been pursued so far have emphasized procedural aspects and formal legal certainty, but have not touched on the moral and humanitarian dimensions. In conditions like this, the prophetic law paradigm can provide a new perspective for national law reform. By promoting humanization, liberation, and transcendence, contract law in Indonesia has the potential to be more inclusive and in accordance with the ideals of social justice mandated by the constitution. The urgency of the research also lies in the global challenges faced by the

¹⁴ Stevie Kaligis, Meidy Santje Selvy Kantohe, and Anita Ludia Wauran, "Implementasi Corporate Social Responsibility (CSR) Sebagai Wujud Etika Bisnis," *Jambura Accounting Review* 6, no. 1 (2025): 321–33, https://doi.org/10.37905/JAR.V6I1.170.



¹¹ Davina Jihan Nur Aini Bayo and Romi Faslah, "Peran Kontrak Bisnis Dalam Menjamin Kepastian Hukum Dalam Transaksi Jual Beli," *Jurnal Kajian Hukum Dan Kebijakan Publik* | E-ISSN: 3031-8882 2, no. 2 (2025): 1222–26, https://doi.org/10.62379/ZG6GCN05.

¹² Ainunnuri Assa'adah, "Implementasi Etika Bisnis Syariah Sebagai Strategi Peningkatan Daya Saing Perusahaan Di Indonesia," Journal of Islamic Finance and Ekonomics 2, no. 02 (2025): 276–86, https://onlinejournal.penacceleration.com/index.php/fet/article/view/132.

¹³ Adfiyanti Fadjar and Armansyah Armansyah, "Tanggung Jawab Perusahaan Terhadap Isu Hak Asasi Manusia Dalam Rangka Perbaikan Kualitas Lingkungan Hidup Guna Terwujudnya Keberlanjutan Perusahaan," *Jurnal Rechten: Riset Hukum Dan Hak Asasi Manusia* 7, no. 1 (2025): 1–11, https://doi.org/10.52005/RECHTEN.V7I1.179.

business world after the economic crisis and pandemic. The global crisis has not only shaken the economic system, but has also tested the resilience of ethical values in business practices.¹⁵ Many companies ignore workers' rights, terminate contracts unilaterally, or carry out efficiencies in ways that harm the community. This situation shows how fragile the contract system is if it is only based on market logic and formal certainty. Therefore, the prophetic law paradigm is present as an urgent need to rebuild public trust in the business world.

In addition, the dimension of transcendence in prophetic law can be a foundation for bridging individual interests with collective interests. The modern business world is often trapped in a dilemma between pursuing maximum profit and maintaining socioenvironmental sustainability. Transcendence offers a framework of thought that reminds us that business activities are not just worldly matters, but also part of a spiritual responsibility. Thus, commercial contracts are not only understood as legal agreements, but also as moral bonds that have social and spiritual consequences. The integration of this value is very important to face business challenges in an increasingly pragmatic and materialistic era.

The urgency of research on prophetic law in modern business can be understood as an effort to present a balance between legal certainty, substantive justice, and moral values. Without a paradigm based on humanization, liberation, and transcendence, commercial contracts have the potential to continue to be instruments of injustice legitimized by law. Conversely, by integrating prophetic principles, the business system can become a means to create shared prosperity, maintain human dignity, and protect environmental sustainability. Against this background, the study of prophetic law in commercial contracts is important and urgent, both in national and global contexts, as a real contribution to the development of a more just and dignified law.

Based on the description above, the formulation of the problem in this study is: 1) How can the principles of humanization, liberation, and transcendence in prophetic law be integrated into modern commercial contract practices?; 2) What are the challenges of integrating humanization, liberation, and transcendence in business contracts in the era of globalization?. Research related to prophetic law in modern business has been carried out previously. First, research by Ida Ayu Sadnyini and I Gede Agus Kurniawan in Rechtsidee highlights how prophetic orientation can be integrated into corporate law. The object of research is focused on business law practices which have been too oriented towards economic interests alone, without considering aspects of substantive justice and divine values. By using normative qualitative methods through conceptual and statutory approaches, this study finds that prophetic aspects—especially the values of justice and divinity- need to be used as a foundation in building corporate law regulations. The results show that business law must be directed not only to certainty and economic benefits, but

¹⁷ Martina Rosmaulina Marbun and Eventus Ombri Kaho, "Refleksi Kritis Atas Imajinasi Ekologi Masyarakat Tapanuli Tengah Dalam Tradisi 'Maragat Tuak Bagot' | Sepakat: Jurnal Pastoral Kateketik," Sepakat: Jurnal Pastoral Kateketik 11, no. 1 (2025): 83–108, https://ejurnal.stipas.ac.id/index.php/Sepakat/article/view/307.



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¹⁵ Annisa Rahmah Herlin, Nurdyanti Choirunnisa Pane, and Jeroh Miko, "Etika Bisnis Dan Strategi Adaptif UMKM Dalam Menghadapi Krisis 2030 Di Era Pasar Bebas," *Jurnal Ilmiah Research Student* 2, no. 2 (2025): 115–22, https://doi.org/10.61722/JIRS.V2I2.5391.

¹⁶ Josep Lumbantoruan and Rencan Charisma Marbun, "Tanggung Jawab Etis Dalam Pengambilan Keputusan Di Era Kapitalisme Global," *Jurnal Pendidikan Sosial Dan Humaniora* 4, no. 1 (2025): 2184–2200, https://publisherqu.com/index.php/pediaqu/article/view/1827.

also to creating social harmony. The research recommendation emphasizes the need for reconstruction of corporate law by integrating prophetic values as a normative orientation.¹⁸

Meanwhile, Muhammad Nurul Fahmi in PESHUM: Jurnal Pendidikan, Sosial Dan Humaniora examines business competition from an Islamic perspective and its relationship to modern regulations. The object of his study is the practice of business competition which is often colored by manipulation, dishonesty, and the dominance of large corporations. The research method used is a normative-juridical approach with a comparative analysis between Islamic law and modern positive law. The results of the study indicate that the prophetic character of as-siddiq (honest) and amanah (trustworthy) must be the basic principles in regulating business competition to create justice in business. His recommendation is the need for internalization of prophetic values in modern business competition regulations so that the law is not only repressive, but also preventive and educative.¹⁹

The novelty of the research raised in the study "Prophetic Law in Modern Business: Integration of Humanization, Liberation, and Transcendence in Commercial Contracts" lies in its focus on commercial contracts in modern business influenced by digitalization and globalization. Different from the research of Ida Ayu Sadnyini and I Gede Agus Kurniawan which emphasizes aspects of corporate law, and Muhammad Nurul Fahmi who highlights business competition, this study seeks to build a prophetic law paradigm through three main principles - humanization, liberation, and transcendence - as the foundation of modern business contracts. Thus, the novelty of this research is to offer a model for integrating prophetic law in commercial contracts that not only emphasizes legal certainty, but also substantive justice and spirituality in contemporary business relations.

The purpose of this study is to analyze and explain how the principles of humanization, liberation, and transcendence in prophetic law can be integrated into modern commercial contract practices, so that contracts not only function as formal legal instruments but also as a means of realizing substantive justice. In addition, this study aims to identify and describe the challenges that arise in the process of integrating these prophetic values, especially in the context of business in the era of globalization which is characterized by the complexity of cross-border transactions, power asymmetry between business actors, and the dominance of the capitalistic paradigm. Thus, this research is directed to provide theoretical and practical contributions in building modern business contracts that are more just, dignified, and oriented towards social sustainability.

METHODS OF THE RESEARCH

The type of research used in this study is normative legal research with a conceptual approach. Normative legal research was chosen because the focus of the study lies in the analysis of norms, principles, and legal doctrines related to prophetic law and its relevance in modern commercial contracts. The conceptual approach is used to examine the concepts of humanization, liberation, and transcendence in the framework of business law, by

¹⁹ Muhammad Nurul Fahmi, "Hukum Persaingan Bisnis Dalam Islam Dan Regulasi Modern: Implementasi Karakter Profetik As-Siddiq Dan Amanah," *PESHUM: Jurnal Pendidikan, Sosial Dan Humaniora* 4, no. 3 (2025): 4205–11, https://doi.org/10.56799/PESHUM.V4I3.8836.



¹⁸ Ida Ayu Sadnyini and I Gede Agus Kurniawan, "Prophetic Business Orientation in Corporate Law Efforts to Incorporate Aspects of Divinity and Justice in Business Law," *Rechtsidee* 11, no. 2 (2023), https://doi.org/10.21070/jihr.v12i2.1005.

connecting theoretical thoughts, normative values, and developing legal doctrines. Thus, this study not only relies on positive legal texts, but also explores conceptual ideas that can enrich legal understanding in the context of modern business. Data collection techniques in this study were carried out through library research by collecting primary, secondary and tertiary legal materials. Primary legal materials include laws and regulations governing contracts and business law in Indonesia and in the international legal framework. Secondary legal materials are obtained from academic literature such as journals, books, articles, and previous research relevant to the topic of prophetic law, business ethics, and commercial contracts. Meanwhile, tertiary legal materials are used as supporting materials in the form of legal dictionaries, encyclopedias, and other sources that provide reinforcement in the analysis. The collected data is then classified and organized by theme to make it more systematic. The data analysis technique in this study uses qualitative analysis with descriptive-analytical and comparative methods. Descriptive-analytical analysis is carried out to describe and examine the principles of humanization, liberation, and transcendence in prophetic law and how these principles can be applied in modern business contracts. Comparative analysis is used to see the similarities and differences between the prophetic law paradigm and the commercial contract practices that have developed in the modern legal system, so that the relevance and challenges of its application can be found. With this analysis, the research is expected to provide a comprehensive conceptual understanding of the integration of prophetic values in contemporary business.

RESULTS AND DISCUSSION

A. Integration of the Principles of Humanization, Liberation, and Transcendence in **Prophetic Law into Modern Commercial Contracts**

Prophetic law is a legal paradigm that was born from the idea of integrating the noble values of humanity, justice, and spirituality into legal practice.²⁰ In contrast to legal positivism which emphasizes formal certainty,²¹ Prophetic law seeks to prioritize a higher normative dimension, namely making law a means of social transformation.²² This concept is rooted in Kuntowijoyo's thoughts on prophetic social science, which was then adapted into the legal realm.²³ Prophetic law aims to create a legal system that not only regulates formal relations between individuals, but also carries out a moral mission.²⁴ Therefore, in the context of modern business, prophetic law seeks to balance market needs with the values of social justice and transcendence. The first principle of prophetic law is humanization, namely the effort to humanize humans in every aspect of the law.²⁵ Humanization rejects

Hukum IUS QUIA IUSTUM 32, no. 1 (2025): 99-120, https://doi.org/10.20885/IUSTUM.VOL32.ISS1.ART5.

https://proceedings.ums.ac.id/pdih/article/view/4693.

²⁵ Aji Rizqi Ramadhan et al., "Integrasi Etika Filosofis Dan Nilai-Nilai Profetik Untuk Mewujudkan Pendidikan Islam Yang Humanis, Adil, Dan Transformatif," Al-Qalam: Jurnal Kajian Islam Dan Pendidikan 16, no. 2 (2024): 253-67, https://doi.org/10.47435/AL-QALAM.V16I2.3244.



²⁰ M.Hasyim Mustamin et al., "Nilai Keadilan Profetik Dan Relevansinya Dalam Memperkokoh Pendidikan Umum Dan Karakter," Didaktika: Jurnal Kependidikan 14, no. 3 (2025): 4283-94, https://doi.org/10.58230/27454312.2861.

²¹ Aditya Candra, Benhard Asri Sitohang, and Aznur Muban, "Kritik Hukum Formal Terhadap Filasafat Hukum," Nusantara: Jurnal Pendidikan, Seni, Sains Dan Sosial Humaniora 3, no. 01 (2025): 1-7, https://journal.forikami.com/index.php/nusantara/article/view/966. ²² Syaifullahil Maslul, "Menakar Putusan Mahkamah Konstitusi Nomor 90/PUU-XXI/2023 Dalam Perspektif Hukum Profetik," *Jurnal*

²³ Irwan Lesmana, Muhammad Panji Hidayat, and Abidin Latua, "Perbandingan Sistem Pemerintahan Nabi Muhammad Shallallahu 'Alaihi Wasallam Dan Pemerintahan Indonesia Perspektif Politik Profetik Kuntowijoyo," Media Hukum Indonesia (MHI) 3, no. 2 (2025): 330-37, https://doi.org/10.5281/ZENODO.15521551.

²⁴ Noor Rahmad, "Hukum Profetik Pancasila: Studi Tentang Implementasi Nilai-Nilai Pancasila Dalam Sistem Hukum Indonesia," in Prosiding Seminar Nasional Program Doktor Ilmu Hukum (Universitas Muhammadiyah Surakarta, 2024),

all forms of dehumanization in contractual relations, for example, neglecting workers' rights, suppressing consumers, or exploiting resources. This principle demands that business law pay attention to human dignity, not just the interests of capital owners. In contract practice, humanization means protecting the weak from detrimental unilateral clauses. Thus, business contracts not only become formal legal instruments, but also a means of maintaining human dignity. The second principle is liberation, which contains the meaning of liberation from oppressive legal structures and business systems.²⁶ In the realm of commercial contracts, liberation means ensuring that no party is forced or bound to an agreement that harms them. Liberation is present to combat exploitative practices such as one-sided standard contracts, the dominance of global corporations, or business monopolies. This principle affirms that law must be an instrument of liberation, not a tool for legitimizing injustice. Therefore, the integration of liberation in modern business contracts is very important to create a balance between market freedom and substantive justice.

The third principle is transcendence, which means connecting legal practice with spirituality and divinity.²⁷ In prophetic law, transcendence places contracts not only as legal bonds between individuals, but also as a moral responsibility to God, society, and the environment. This principle gives rise to the awareness that modern business should not only be profit-oriented, but must also maintain honesty, sustainability, and integrity. In the perspective of business law, transcendence demands the existence of ethical norms that oversee every agreement. Thus, commercial contracts are not just material relationships, but also moral bonds that have social consequences. The relationship between prophetic law and business law lies in the function of both in regulating economic interactions. Business law is oriented towards legal certainty, protection of the interests of the parties, and smooth transactions.²⁸ However, in practice, business law is often formalistic and fails to address substantive injustice. Prophetic law is present to complement these shortcomings by providing a higher value foundation. Thus, business law not only functions as a technical instrument, but also as a means of transformation towards just and dignified business.

The integration of the principle of humanization in modern commercial contracts can be done by ensuring protection for the weak. For example, in employment contracts, clauses must provide guarantees of decent wages, health, and work safety. In consumer contracts, protection of the right to obtain information and guarantees of the quality of goods is a form of humanization. Even in digital contracts such as e-commerce, this principle demands transparency so that consumers are not harmed. That way, humanization ensures that contracts truly become instruments for maintaining human welfare. The application of the principle of liberation in modern commercial contracts demands true freedom in contracting. This means that each party must have a balanced bargaining position, without domination from one party. For example, in gig economy contracts, digital platforms must not impose unilateral clauses that harm freelancers.²⁹ Liberation also means the elimination

²⁶ Dwi Marlina, "Pembentukan Karakter Wirausaha Melalui Manajemen Entrepreneurship Berlandaskan Nilai-Nilai Profetik Di Pesantren," Jurnal Studi Islam Dan Kemuhammadiyahan (JASIKA) 1, no. 1 (2021): 17-28, https://doi.org/10.18196/JASIKA.V1I1.2.

²⁷ Yuliani Sari Devi, "Tantangan Dan Peluang Reaktualisasi Teori Sosial Profetik Kuntowijoyo Dalam Menanamkan Soft Skills Kewirusahaan Di Indonesia," Jurnal GICI Jurnal Keuangan Dan Bisnis 16, no. 2 (2024): 199-204, https://doi.org/10.58890/JKB.V16I2.322. ²⁸ Bayo and Faslah, "Peran Kontrak Bisnis Dalam Menjamin Kepastian Hukum Dalam Transaksi Jual Beli.'

²⁹ Regita Pramesti Cahyaningrum and Lintang Yudhantaka, "Perlindungan Hukum Kepada Gig Worker Gudang Logistik Terhadap Wanprestasi Oleh Penyedia Platform Digital Dalam Hubungan Kemitraan Berbasis Gig Economy," Jurnal Hukum Lex Generalis 6, no. 5 (2025): 1-23, https://doi.org/10.56370/JHLG.V6I5.1070.

of monopolistic or cartel practices that restrict market freedom. Thus, contracts truly become a means of freedom and justice, not instruments of oppression.

The integration of transcendence in modern commercial contracts can be realized through the application of business ethics and social responsibility. For example, investment contracts must pay attention to environmental sustainability by applying the principle of green contracts. In international contracts, transcendence encourages the birth of global ethics such as honesty, justice, and social responsibility. In the context of companies, contracts with the principle of transcendence mean rejecting practices of bribery, data manipulation, or environmental pollution. That way, transcendence ensures that contracts are not only legally valid, but also morally correct.

The integration of these three principles complements each other in creating just modern business contracts. Humanization maintains human dignity, liberation frees from domination, while transcendence connects business with moral values. Without humanization, contracts easily become instruments of dehumanization; without liberation, contracts tend to become a means of exploitation; and without transcendence, contracts only become material transactions. Therefore, the three principles must be integrated simultaneously. This integration will create a contract system that functions as an instrument of substantive justice.

In global practice, the integration of prophetic law can help face the challenges of crosscountry contracts. Business globalization gives rise to power asymmetry between large companies and local communities.³⁰ Humanization ensures protection for local communities, liberation frees from the domination of global corporations, and transcendence demands sustainability in investment contracts. In this way, international business contracts are not only profit-oriented, but also socially responsible. This shows that prophetic law can provide a universal perspective that is relevant in global business.

The application of the principles of prophetic law in commercial contracts can strengthen the development of just law. Indonesia has challenges in employment contracts, investment contracts and digital contracts which often lead to injustice.³¹ The integration of humanization can protect workers and consumers, liberation can prevent monopolies and unilateral clauses, while transcendence can strengthen Pancasila-based business ethics. Thus, prophetic law is able to be a bridge between local values, positive law, and the demands of modern business. This is an important step in national business law reform.

The integration of the principles of humanization, liberation, and transcendence in prophetic law into modern commercial contracts is an answer to the challenges of global business which tend to be materialistic. This principle affirms that contracts are not only a matter of legal certainty, but also moral and social instruments. Humanization maintains human dignity, liberation creates fair freedom, and transcendence provides spiritual direction in business. By applying prophetic law, the business world can move towards a more just, dignified and sustainable system. Therefore, the prophetic law paradigm is not just an alternative, but a real need in the practice of commercial contracts in the modern era.

³¹ Farah Karar et al., "Perlindungan Hukum Bagi Pelaku UMKM Dalam Kontrak Bisnis Digital," Eksekusi: Jurnal Ilmu Hukum Dan Administrasi Negara 3, no. 2 (2025): 139-52, https://doi.org/10.55606/EKSEKUSI.V3I2.1850.



³⁰ Rahmat Hidayat et al., "Hak Kepemilikan, Biaya Transaksi, Dan Desain Mekanisme: Kajian Interdisipliner Terhadap Hukum Dan Ekonomi," Center of Economic Students Journal 8, no. 2 (2025): 721-30, https://doi.org/10.56750/CSEJ.V812.1154.

B. The Challenge of Integrating Humanization, Liberation, and Transcendence in Commercial Contracts in Business Law in the Era of Globalization

The era of globalization has had a significant impact on the development of business law, particularly in commercial contracts. Globalization has expanded the scope of cross-border transactions, involving different legal systems, cultures, and economic interests.³² This situation presents complexities in legal harmonization, especially regarding standards of protection for the parties. When contracts are made across jurisdictions, often the economically stronger party dominates the contract terms. As a result, the values of justice and equality in the agreement can be reduced by global capitalistic interests.

The main challenge of business law in modern commercial contracts is the power asymmetry between strong and weak parties.³³ Multinational companies or large capital owners are often able to dictate contract clauses according to their interests. Meanwhile, small parties such as local suppliers, workers or consumers are in a position that is vulnerable to exploitation. This pattern leads to dehumanization because the contract no longer protects human dignity, but is merely an instrument for accumulating profits. This is what then creates the need for the principle of humanization in prophetic law.

Globalization has also given birth to digital contracts or smart contracts based on blockchain technology.³⁴ Although it provides efficiency, digital contracts are often rigid and do not provide room for interpretation for the protection of social rights. In e-commerce contracts, consumers are often bound by lengthy and non-negotiable terms and conditions. This poses a challenge to integrating the principle of humanization because legal relations become increasingly impersonal. Thus, modern technology in business must still be balanced by more substantial human values.

The presence of monopolies and unfair business practices that are legitimized through contracts.³⁵ In many cases, one-sided clauses in standard contracts still dominate business relationships.³⁶ This situation is contrary to the principle of liberation in prophetic law, which emphasizes the liberation of humans from legal and structural oppression. When contracts become a tool for perpetuating the domination of certain parties, the ideal freedom of contract is never realized. Therefore, the integration of liberation in commercial contracts faces major obstacles amidst the dominance of global capitalism.

Liberation also faces challenges in the context of cross-country contracts. Contracts made between developing countries and multinational companies often result in clauses that benefit the company. Investment contracts often contain an investor-state dispute

³² Umdah Aulia Rohmah et al., "Hukum Perikatan Dalam Kontrak Internasional Dan Implikasinya," *Jurnal Syntax Admiration* 6, no. 1 (2025): 864–83, https://doi.org/10.46799/JSA.V6I1.2095.

³³ Eys Putri Pembayun and Arifin Faqih Gunawan, "Perlindungan Hukum Terhadap Konsumen Dalam Transaksi Digital: Tinjauan Terhadap Implementasi UU Perlindungan Konsumen Di Marketplance," *Jurnal Fakta Hukum* 3, no. 2 (2025): 84–94, https://doi.org/10.58819/JFH.V3I2.156.

³⁴ Imelda Martinelli et al., "Legalitas Dan Efektivitas Penggunaan Teknologi Blockchain Terhadap Smart Contract Pada Perjanjian Bisnis Di Masa Depan," *UNES Law Review* 6, no. 4 (2024): 10761–76, https://doi.org/10.31933/UNESREV.V6I4.2049.

³⁵ Dedi Mardianto, Hamzah Haeriyah, and Muslimin Kara, "Praktik Monopoli Dan Kartel Di Pasar Global Dalam Metafora Keadilan," *Jebiman: Jurnal Ekonomi, Bisnis, Managemen Dan Akuntansi* 3, no. 4 (2025): 210–18, https://sociohum.net/index.php/Jebiman/article/view/133.

³⁶ Irene Puteri A. S. Sinaga, Felicia Jacinta Ivanka Anter, and Vivi Anjelika, "Kedudukan Hukum Kontrak Baku Dalam Perlindungan Konsumen Di Indonesia," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 2 (2025): 248–59, https://doi.org/10.61104/ALZ.V3I2.994.

settlement (ISDS) mechanism that limits the legal sovereignty of developing countries.³⁷ In situations like this, the principle of liberation is difficult to realize because contracts actually become a tool for modern economic colonization. This shows that commercial contracts in the era of globalization are not neutral, but are influenced by unequal power relations.

Another challenge lies in the integration of the principle of transcendence. In global business practice, contracts are often secular and materialistic, so moral and spiritual values are not the main consideration.³⁸ The orientation of contracts is solely on short-term profits without regard to aspects of environmental sustainability or social responsibility. For example, production contracts that trigger environmental pollution are still considered legally valid. In fact, from the perspective of prophetic law, such contracts are contrary to the value of transcendence which demands responsibility to God, society, and future generations.

Transcendence is also difficult to integrate because globalization gives rise to a plurality of norms and ethical standards. Not all countries or corporations uphold spirituality in doing business. In many international contracts, ethics is only rhetoric while the substance of the agreement remains capitalistic.³⁹ As a result, transcendence is often excluded from modern commercial contracts which place more emphasis on economic efficiency. This challenge demands a new paradigm that places ethical and spiritual values as an integral part of global business law.

In addition to structural factors, the integration of prophetic law also faces challenges in the aspect of awareness of business actors. Many companies still consider the values of humanization, liberation and transcendence as obstacles to maximum profit. This mindset is a serious challenge because the principles of prophetic law require moral commitment from business actors. Without collective awareness, the integration of prophetic values in contracts will be difficult to realize even if there is an adequate legal framework.

However, opportunities to integrate the principles of prophetic law remain open through the development of the concept of corporate social responsibility and sustainable business standards. Although born from a global context, this concept is in line with the values of humanization, liberation, and transcendence. Contracts can be designed with clauses that guarantee workers' rights, prohibit monopolies, and pay attention to environmental aspects. The challenge is how to ensure that these principles are not just a formality, but are truly internalized in global business practice. This is where the role of prophetic law becomes important as an alternative paradigm.

The challenge of integrating the principles of humanization, liberation and transcendence in commercial contracts in the era of globalization is very complex. Power asymmetry, digital contracts, monopolies, materialistic orientation, and weak ethical awareness are the main obstacles. However, these challenges also open up opportunities to

³⁹ Nurman S. and Hamsal, *Ekonomi Dan Etika: Sebuah Pendekatan Filsafat Moral*, ed. Zulfikri Toguan and Al Sukri (Jakarta: Indonesia Delapan Kreasi Nusa, 2025).



³⁷ Syifa Rahmatul Ummah Arif, "Aktualisasi Mekanisme Investor State Dispute Settlement (ISDS) Dalam Sengketa Joint Venture Investor Asing Dengan Pemerintah Di Indonesia," *Jurnal Hukum, Politik Dan Ilmu Sosial* 2, no. 4 (2023): 270–90, https://doi.org/10.55606/JHPIS.V2I4.2750.

³⁸ Fitri Mustafa et al., "The Deconstruction of Marriage Law in Islam: A Critical Analysis of The Practice of Contract Marriage in The Modern Era: Dekonstruksi Hukum Perkawinan Dalam Islam: Analisis Kritis Terhadap Praktik Kawin Kontrak Di Era Modern," *Al Hairy* | *Journal of Islamic Law* 1, no. 1 (2025): 51–74, https://doi.org/10.64344/HRY.V1I1.14.

present prophetic law as a more just and sustainable paradigm. By integrating humanization to maintain human dignity, liberation to fight domination, and transcendence to uphold ethics and spirituality, commercial contracts can become instruments of social transformation. Therefore, although globalization brings great challenges, it can also be an entry point for the birth of prophetic and dignified business contracts.

CONCLUSION

Globalization poses major challenges to business law practices. The principles of humanization, liberation and transcendence are often overlooked in contracts that place more emphasis on aspects of efficiency, capitalistic interests, and the domination of the strong over the weak. Dehumanization in the form of labor exploitation, unilateral contracts, to neglecting social and environmental responsibility are evidence that contracts have not fully functioned as instruments of justice. This is where prophetic law offers an alternative paradigm that is able to restore contracts to the values of humanity, justice and spirituality. The integration of the principles of prophetic law faces various obstacles, ranging from power asymmetry, the domination of multinational companies, rigid digital contracts, to the low ethical awareness of business actors. However, opportunities remain open through modern instruments such as corporate social responsibility, sustainable business regulations, and global ethics that are increasingly being considered by the international community. Therefore, prophetic law is not only relevant, but also urgent to be presented as a paradigm of renewal in global business law, especially commercial contracts. As an implementative step, there needs to be a formulation of regulations that explicitly integrate the principles of humanization, liberation and transcendence in the drafting of commercial contracts, both at the national and international levels. Governments, judicial institutions and business actors must collaborate to ensure that every contract is not only formally valid, but also fair, humane and ethical. In addition, the moral awareness of business actors needs to be strengthened through prophetic law education, the application of sustainable business standards, and the establishment of contract monitoring mechanisms that are oriented towards social justice. In this way, commercial contracts in the era of globalization can become a means of economic development that is not only profitable, but also dignified and sustainable

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Culaiman Hari Damai Durin and Dasi Durrama "Hale Atas Mandanatlean Vahiduna

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