

Humanistic Logic Theory: Reconciling Legal Certainty and Substantive Justice in Contemporary Legal Reasoning

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Abstract

The persistent tension between legal certainty and substantive justice reveals a fundamental limitation in legal reasoning: humanitarian values are often treated as external moral considerations rather than constitutive elements of legal rationality. This study develops Humanistic Logic Theory as a jurisprudential framework integrating logical coherence, legal justification, human dignity, vulnerability, proportionality, and substantive consequences within a unified structure of legal reasoning. Employing normative-conceptual legal research, the study combines conceptual, comparative, and hermeneutic-philosophical approaches to synthesize major traditions of legal thought, including Aristotle, Radbruch, Rawls, Dworkin, Alexy, Sen, and contemporary dignity-based jurisprudence. The analysis formulates four interrelated dimensions: Humanistic Logic, Legal Rationality, Humanity-Based Justice, and Ethical Equilibrium. The findings show that legally valid reasoning remains normatively incomplete when it disregards disproportionate human consequences, while humanitarian considerations require rational and doctrinal justification to avoid arbitrariness. An illustrative humanitarian-legal conflict further demonstrates how the framework makes tensions among legality, vulnerability, institutional responsibility, and substantive justice analytically visible. The principal theoretical contribution lies not in introducing entirely new legal values, but in reconstructing their relationship by positioning humanity as an internal criterion of rational legal justification. The framework also has potential relevance beyond domestic adjudication, particularly for global legal challenges involving human rights, socio-economic inequality, migration, public health, and technology-

mediated governance in contemporary plural legal systems. Although its evaluative indicators remain normative-analytical and require empirical and cross-jurisdictional validation, Humanistic Logic Theory offers a transferable architecture for advancing legal reasoning from formal rationality toward human-centered rationality without abandoning legal certainty or the rule of law.

Keywords: *Humanistic Logic, Legal Justice, Legal System.*

Introduction

The relationship between legal certainty and substantive justice remains one of the most enduring tensions in modern jurisprudence. Law is expected to provide predictability, consistency, and institutional order, yet its legitimacy ultimately depends on its capacity to produce justice. In practice, however, legal reasoning frequently privileges procedural correctness and formal legality over the social and humanitarian consequences of legal decisions. This problem is particularly visible in legal systems strongly influenced by positivistic traditions, in which textual interpretation, procedural compliance, and logical consistency often become the dominant measures of legal validity. Although such an approach strengthens legal certainty, it may also widen the distance between *das Sein*, the law as applied, and *das Sollen*, the law as an ideal of justice. Radbruch (2006) challenged this separation by arguing that positive law loses its normative authority when its injustice becomes intolerable. The central jurisprudential problem, therefore, is not whether legal reasoning should remain rational and consistent, but how such rationality can be reconciled with justice, morality, and human dignity.

This tension is increasingly relevant in contemporary legal practice. Cases involving wrongful arrest, excessive use of force, procedural abuse, and other forms of institutional injustice demonstrate that compliance with formal legal procedures does not necessarily result in substantively just outcomes. Legal legitimacy cannot therefore be assessed solely through conformity with rules; it must also be evaluated according to how legal decisions affect dignity, welfare, fairness, and public trust. In this respect, Friedman (2005) highlights the importance of understanding law not merely as a body of formal norms but as a social institution operating within wider cultural and human contexts. The persistence of procedurally valid yet substantively problematic outcomes indicates that legal reasoning requires a framework capable of examining both normative validity and the human consequences of legal decisions.

A number of jurisprudential approaches have attempted to respond to this problem. Responsive Law, developed by Nonet and Selznick (2017), shifts attention from rigid institutional autonomy toward responsiveness to social needs and public aspirations. Therapeutic Jurisprudence examines the psychological and emotional consequences of legal rules and procedures, emphasizing the potential of law to promote rather than undermine individual well-being. Restorative Justice similarly reorients legal responses from punishment toward participation, reconciliation, and the repair of harm. Legal Realism challenges purely formalist accounts of adjudication by demonstrating that judicial decisions are also shaped by social, political, institutional, and psychological factors. In parallel, dignity-based approaches have increasingly positioned human dignity as a foundational principle for constitutional interpretation and the protection of individual rights. Collectively, these perspectives have substantially expanded jurisprudential attention beyond formal legality toward the social and human dimensions of law.

Previous studies further reinforce the need for a more human-centered understanding of legal reasoning. Sáenz (2019) and (Hariyanti, 2013), for example, demonstrates that interdisciplinary engagement between law and literature can cultivate empathy, contextual sensitivity, and a deeper understanding of human experience within legal interpretation. Brownsword (2015) and Havlíková (2024), however, shows that human dignity remains conceptually ambiguous and inconsistently operationalized in legal discourse. More broadly, contemporary scholarship on ethical adjudication, judicial discretion, and human-centered legal education has emphasized the importance of integrating moral sensitivity into legal practice (Chen, 2026). These studies are significant because they challenge the assumption that law can be understood adequately through doctrinal and procedural reasoning alone. Nevertheless, they largely address particular dimensions of humanity in law rather than providing a general analytical model for integrating such dimensions into the structure of legal reasoning itself.

The limitations of existing approaches become clearer when their analytical orientations are compared. Responsive Law primarily concerns the institutional capacity of law to adapt to societal demands, while Therapeutic Jurisprudence concentrates on the psychological effects of legal processes. Restorative Justice offers an important framework for repairing harm, but its analytical scope is generally tied to particular forms of dispute resolution. Legal Realism effectively demonstrates the limitations of

rule-based formalism, yet it provides relatively limited normative guidance regarding how rational legal analysis should incorporate humanitarian considerations. Likewise, dignity-based theories establish dignity as a central normative value but do not always provide a systematic mechanism for translating that value into the actual process of legal reasoning. Thus, although previous theories have successfully challenged rigid formalism, they tend to locate humanity, morality, and dignity alongside legal logic rather than within its internal analytical structure.

This limitation constitutes the principal research gap addressed in this study. Previous scholarship has established the importance of responsive institutions, psychological well-being, restorative mechanisms, contextual adjudication, and human dignity, but it has not adequately explained how legal certainty, logical consistency, moral judgment, empathy, and human dignity can be systematically integrated within a single framework of legal reasoning. Humanitarian values therefore continue to be treated largely as external considerations applied after formal legal analysis rather than as constitutive elements of legal rationality itself. To address this gap, the present study proposes Humanistic Logic Theory, a jurisprudential framework that reconceptualizes rationality and humanity as mutually constitutive dimensions of legal reasoning. Its originality lies in treating justice, empathy, moral conscience, and human dignity not as corrective additions to legal logic but as intrinsic criteria of rational legal analysis. Accordingly, this study seeks to formulate the theoretical foundations and analytical architecture of Humanistic Logic Theory and to explain how the framework reconciles legal certainty with substantive justice by integrating rational justification, human dignity, proportionality, and human consequences within legal reasoning.

Methods

This study employs normative-conceptual legal research to formulate Humanistic Logic Theory as a jurisprudential framework for reconciling legal certainty with substantive justice (Jansen, 2024). Rather than testing causal relationships or measuring judicial behavior empirically, the study focuses on theoretical reconstruction by examining how rationality, justice, human dignity, proportionality, vulnerability, and substantive consequences are conceptualized within major traditions of legal thought (Flores, 2021). The research combines conceptual, comparative, and hermeneutic-philosophical approaches to identify the normative assumptions underlying different

models of legal reasoning and to reconstruct them into an integrated analytical framework.

The conceptual analysis examines jurisprudential traditions selected according to three criteria: their historical significance, influence on contemporary legal reasoning, and relevance to the relationship between legality and substantive justice in global context. The analysis engages with Aristotle's conception of equity, Radbruch's relationship between legal certainty and justice, Rawls's justice as fairness, Dworkin's law as integrity, Alexy's theory of principles and proportionality, Sen's capability-oriented conception of justice, and contemporary dignity-based jurisprudence. These perspectives are comparatively examined alongside Responsive Law, Therapeutic Jurisprudence, Restorative Justice, and Legal Realism in order to identify their respective contributions, limitations, and areas of conceptual convergence.

The study draws primarily on jurisprudential and legal-philosophical scholarship, relevant statutory and constitutional principles, international human-rights instruments, and peer-reviewed legal literature concerning legal reasoning, dignity, proportionality, vulnerability, and substantive justice. Materials were purposively selected on the basis of theoretical relevance, scholarly authority, and their capacity to illuminate the tension between formal legality and human-centered justice. Because the principal objective is theory construction rather than doctrinal analysis of a particular jurisdiction, legal materials are used to clarify normative principles rather than to establish an exhaustive account of positive law.

The analytical process proceeds through four interrelated stages. First, interpretative analysis identifies the philosophical and normative assumptions embedded in the selected jurisprudential traditions. Second, conceptual extraction identifies recurring categories related to coherence, legality, dignity, proportionality, vulnerability, and human consequences. Third, comparative synthesis examines points of convergence, divergence, and unresolved tensions among these traditions. Fourth, theoretical reconstruction integrates these findings into the analytical architecture of Humanistic Logic Theory, comprising Humanistic Logic (HL), Legal Rationality (LR), Humanity-Based Justice (HK), and Ethical Equilibrium (KE). These dimensions are treated as interconnected conceptual categories rather than empirical variables.

To examine the explanatory capacity of the proposed framework, the study subsequently employs a hypothetical legal scenario as an illustrative analytical device. The scenario involving a conflict between professional licensing requirements and

humanitarian necessity is not presented as empirical evidence or a judicial case study; rather, it is used to demonstrate how the framework structures legal reasoning when formal legality, proportionality, vulnerability, institutional responsibility, and substantive justice point in different directions. The analysis therefore evaluates whether the proposed framework can preserve legal certainty while making human dignity and substantive consequences explicit components of rational legal justification.

The theoretical robustness of Humanistic Logic Theory is assessed through internal conceptual consistency, comparative adequacy, normative coherence, and explanatory capacity. Internal consistency concerns whether the dimensions of the theory operate without conceptual contradiction. Comparative adequacy examines whether the framework meaningfully addresses limitations identified in existing jurisprudential approaches. Normative coherence evaluates whether humanitarian considerations remain constrained by legal justification rather than becoming unrestricted moral discretion. Explanatory capacity concerns whether the framework provides a structured account of how legal certainty and substantive justice may be reconciled within contemporary legal reasoning. Accordingly, the study presents Humanistic Logic Theory as a normative-analytical jurisprudential framework, while recognizing that its practical reliability requires subsequent empirical and cross-jurisdictional validation.

Results and Discussion

Humanistic Logic as an Integrated Architecture of Legal Reasoning

The analysis reveals that the central contribution of Humanistic Logic Theory lies in reconstructing the relationship between legal rationality and humanitarian values. Conventional legal reasoning frequently treats rationality as the internal structure of legal analysis and humanity as an external moral consideration that may subsequently modify or soften legal outcomes (Feteris, 2017b; Tukhvatulina & Krzhevov, 2019). Humanistic Logic Theory rejects this separation. It proposes that a legal decision can only be regarded as substantively just when rational coherence and humanitarian legitimacy are simultaneously present (Anosike, 2026; Silalahi, 2025). Logic provides the structure through which legal arguments remain coherent, verifiable, and accountable, whereas humanity provides the normative direction through which such reasoning remains oriented toward dignity, fairness, and the protection of human beings.

This proposition can be situated within several major traditions of contemporary jurisprudence. Dworkin's theory of law as integrity emphasizes that legal decisions

should be justified through coherent principles rather than mechanical rule application, thereby establishing coherence as an essential condition of legitimate adjudication (Arnold, 2022). Alexy's theory of constitutional rights further demonstrates that legal reasoning frequently requires proportionality and balancing when competing principles cannot be resolved through simple rule subsumption (Alexy, 2014; Červínek, 2020). Habermas's discourse theory adds a procedural dimension by linking legal legitimacy to forms of rational justification capable of being defended within an inclusive normative discourse (Feteris, 2017a). Meanwhile, Sen's capability-oriented conception of justice redirects attention from ideal institutional arrangements toward the actual freedoms, disadvantages, and lived consequences experienced by individuals (Sen, 2009). Humanistic Logic Theory draws upon these complementary insights but advances a distinct proposition: coherence, justification, proportionality, and consequences must be evaluated together with empathy, vulnerability, and human dignity as constitutive components of legally rational judgment.

This reconstruction produces an important jurisprudential shift. Humanity is no longer positioned as a discretionary correction to formal legal reasoning but as an element constitutive of legal rationality itself (Cerar, 2023). A decision that is doctrinally coherent but disregards severe human consequences is therefore analytically incomplete, just as a decision motivated by compassion but unsupported by defensible legal reasoning risks arbitrariness. This position also extends dignity-based jurisprudence, which recognizes human dignity as a foundational normative value, by asking how dignity can operate within the actual structure of legal argumentation rather than remaining an abstract constitutional principle. Humanistic Logic Theory accordingly conceptualizes justice as the product of a reciprocal relationship between rational justification and moral-humanistic evaluation (Burlaka et al., 2024).

The resulting framework is organized around Humanistic Logic (HL), Legal Rationality (LR), Humanity-Based Justice (HK), and Ethical Equilibrium (KE). HL represents the integrative architecture through which legal reasoning connects normative rationality with human consequences. LR concerns coherence, consistency, doctrinal justification, and the accountability of legal argumentation. HK evaluates whether legal interpretation respects human dignity, vulnerability, empathy, and substantive fairness. KE captures the need to reconcile legality and humanitarian protection by considering proportionality, moral responsibility, and the practical consequences of a legal decision. Contextuality and responsiveness operate across these

dimensions by requiring legal reasoning to engage with the social, cultural, economic, and institutional circumstances in which law is applied. The framework therefore moves beyond a binary opposition between positivism and moralism by requiring legal decisions to satisfy both rational and humanistic standards of justification. The analytical architecture of Humanistic Logic Theory is summarized in Table 1, which clarifies the distinct yet interdependent functions of its four conceptual dimensions.

Table 1. Analytical Architecture of Humanistic Logic Theory

Dimension	Conceptual Function	Central Question
Humanistic Logic (HL)	Integrates rational legal reasoning with humanitarian orientation	Does legal reasoning combine logical justification with human consequences?
Legal Rationality (LR)	Ensures normative consistency, coherence, and legal justification	Is the reasoning legally coherent and sufficiently justified?
Humanity-Based Justice (HK)	Protects dignity, empathy, vulnerability, and substantive fairness	Does the decision adequately protect the human beings affected?
Ethical Equilibrium (KE)	Reconciles legality, proportionality, morality, and social consequences	Is the balance between legality and human consequences ethically defensible?

Table 1 demonstrates that the four dimensions are not independent variables but interconnected components of a single jurisprudential architecture. HL functions as the overarching integrative framework, while LR, HK, and KE provide complementary criteria for evaluating the rational, humanitarian, and ethical quality of legal reasoning. A legally coherent decision may therefore remain deficient when it fails to protect human dignity or produces disproportionate consequences. Conversely, humanitarian considerations require rational and normative justification to avoid arbitrariness. Humanistic Logic Theory thus treats substantive justice as emerging from the interaction among legal coherence, human dignity, and ethical proportionality rather than from any single dimension in isolation.

The analytical significance of this framework extends beyond domestic jurisprudence. Contemporary legal systems increasingly confront transnational problems in which formally valid rules may generate highly unequal human consequences, including migration and refugee protection, digital surveillance, algorithmic decision-making, climate-related displacement, transnational labor, public-

health emergencies, and cross-border economic regulation (Gasiokwu et al., 2024; Manhas et al., 2026). These problems are difficult to resolve through textual legality alone because they frequently involve conflicts among sovereignty, security, institutional efficiency, fundamental rights, vulnerability, and global justice. Humanistic Logic Theory provides a normative structure through which such conflicts can be examined by asking not only whether a governmental or judicial measure is legally authorized, but also whether its justification is coherent, proportionate, dignity-preserving, context-sensitive, and defensible in light of its consequences for affected persons.

Human Dignity, Jurisprudential Synthesis, and the Global Reach of Humanistic Logic

A central finding of this study concerns the repositioning of human dignity from an external moral consideration to an internal criterion of rational legal justification. Humanistic Logic Theory distinguishes legal validity from substantive justice. Formal compliance may establish that a decision is legally authorized, but legality alone does not establish its justice when the application of law produces disproportionate harm, ignores vulnerability, or undermines fundamental human interests (Jellamo, 2019). This distinction is particularly important because human dignity has become a foundational concept in international and constitutional human rights law, while its substantive meaning and judicial application continue to vary across jurisdictions (Bueno & Silva, 2022; Czepek, 2024). Humanistic Logic Theory responds to this problem by treating dignity not merely as an abstract normative aspiration but as a criterion that must inform the reasoning through which legal conclusions are justified.

The theoretical basis of this proposition can be traced to several jurisprudential traditions. Aristotle's concept of *epieikeia* recognizes that the generality of legal rules may produce injustice in particular circumstances and therefore requires equity as a corrective to rigid application. Radbruch (2006) similarly demonstrates that legality cannot be isolated completely from justice, particularly when positive law produces intolerable injustice. Rawls's theory of justice as fairness strengthens the requirement of impartial and rational justification, but its institutional and hypothetical orientation provides less direct guidance for assessing the concrete vulnerabilities and differentiated experiences of persons affected by legal decisions (Sunaryo, 2022). Humanistic Logic Theory incorporates these insights while shifting their focus toward the routine structure of legal reasoning rather than limiting humanitarian correction to exceptional cases.

Dworkin's conception of law as integrity provides a further analytical foundation by requiring legal decisions to form part of a coherent structure of principles rather than operate as isolated applications of rules (Balasubramaniam, 2021). Coherence, however, cannot by itself determine whether the human consequences of an otherwise principled interpretation are substantively defensible. Alexy's principles theory addresses this problem through proportionality and balancing, in which competing constitutional principles must be rationally justified rather than mechanically subsumed under rules (Balasubramaniam, 2021). Proportionality has subsequently become one of the most influential methods of constitutional rights adjudication across national and international legal systems, although its implementation continues to vary considerably among jurisdictions (Barak & Kalir, 2012; Bui & Nguyen, 2025). Humanistic Logic Theory builds upon this rational structure of balancing but adds an explicit requirement that dignity, vulnerability, empathy, and foreseeable human consequences form part of the justificatory process.

Sen's capability-oriented account of justice provides another important bridge between rational legal analysis and lived human conditions. Instead of evaluating justice primarily through ideal institutional arrangements, he directs attention toward actual social realizations, substantive freedoms, capabilities, and the consequences that institutions produce for people's lives (Garcés-Velástegui, 2022). This insight is particularly relevant to Humanistic Logic Theory because a legal system may be institutionally coherent while generating unequal or harmful effects for individuals who lack meaningful access to rights, services, or legal institutions. Humanity-Based Justice therefore requires legal reasoning to examine not merely whether rights formally exist but whether individuals are actually capable of benefiting from their protection.

These theoretical perspectives reveal both convergence and an unresolved problem. Aristotle introduces equity; Radbruch connects legality with justice; Rawls emphasizes impartial justification; Dworkin establishes coherence and integrity; Alexy provides a rational model of proportionality; and Sen redirects justice toward substantive human capabilities. Yet none of these perspectives alone provides a unified analytical structure in which coherence, legality, dignity, empathy, vulnerability, proportionality, and human consequences operate simultaneously as dimensions of legal reasoning. Research on dignity further demonstrates why such integration remains necessary. Pin (2025) and Baudoin (2024) found substantial cross-jurisdictional

differences in the judicial meaning and weight attached to dignity, while more recent comparative scholarship continues to demonstrate different ways in which apex courts operationalize dignity across constitutional systems. The problem, therefore, is not the absence of dignity from contemporary law but the absence of a sufficiently integrated method for translating it into consistent legal reasoning. The comparative position of Humanistic Logic Theory can consequently be summarized as follows.

Table 2. Theoretical Positioning of Humanistic Logic Theory within Major Jurisprudential Traditions

Jurisprudential Tradition	Core Contribution	Remaining Limitation	Contribution of Humanistic Logic Theory
(Aristotle, 1999)	Equity (<i>epieikeia</i>) corrects the rigidity of general rules	Limited contemporary operational structure	Integrates equity with contextual and human-centered legal reasoning
(Radbruch, 2006)	Reconciles legal certainty, purposiveness, and justice	Humanitarian correction is most explicit in situations of extreme injustice	Extends humanitarian evaluation into ordinary legal reasoning
(Rawls, 2001)	Establishes rational and impartial justice through fairness	Limited engagement with concrete vulnerability and lived consequences	Connects rational justification with differentiated human realities
(Dworkin, 1986)	Requires coherence, principles, and integrity in legal interpretation	Coherence does not independently determine humanitarian adequacy	Connects doctrinal coherence with dignity and human consequences
(Alexy, 2014)	Provides rational balancing and proportionality for competing principles	Balancing may remain focused primarily on competing normative interests	Incorporates vulnerability, empathy, dignity, and social consequences into proportional evaluation
(Sen, 2009)	Evaluates justice through actual realizations, freedoms, and capabilities	Not designed specifically as a methodology of judicial reasoning	Translates capability-sensitive justice into legal evaluation of real human effects

Jurisprudential Tradition	Core Contribution	Remaining Limitation	Contribution of Humanistic Logic Theory
Dignity-based jurisprudence	Places intrinsic human worth at the center of constitutional and human rights law	Dignity remains differently understood and operationalized across jurisdictions	Provides an integrated structure for incorporating dignity into legal justification

The distinctive contribution of Humanistic Logic Theory therefore lies not in claiming that rationality, dignity, proportionality, or substantive justice are entirely new legal values, but in reconstructing their structural relationship. Under this approach, judicial empathy does not mean replacing law with personal compassion. Rather, empathy functions as an epistemic mechanism for identifying legally relevant conditions that abstract reasoning may otherwise overlook, including poverty, disability, displacement, unequal institutional access, psychological vulnerability, and structural disadvantage. Similarly, moral proportionality does not authorize judges to disregard positive law whenever they consider an outcome undesirable (Comella, 2025). It requires decision-makers to explain why a particular legal burden remains justified when evaluated against the rights, dignity, vulnerability, and foreseeable consequences experienced by affected persons.

This integrated approach also responds to an important difficulty identified in comparative human rights scholarship. Human dignity has become a common normative language across international and domestic legal systems, but courts frequently assign different meanings, status, and consequences to it (Bueno & Silva, 2022). Neuhäuser and Stoecker (2015) demonstrates that there is significant divergence in how dignity is applied across jurisdictions, despite broad agreement on its fundamental importance. More recent comparative research similarly shows that constitutional courts in jurisdictions such as Canada, Colombia, Egypt, the European Union, and Israel operationalize dignity through different doctrinal structures and judicial traditions. Humanistic Logic Theory does not seek to eliminate this legal diversity. Instead, it proposes a common reasoning architecture through which different legal systems can make their treatment of dignity, proportionality, vulnerability, and consequences more transparent and normatively accountable.

From Normative Evaluation to Global Jurisprudence: Testing the Explanatory Capacity of Humanistic Logic

A central challenge for human-centered jurisprudence is translating abstract concepts such as dignity, empathy, vulnerability, and substantive justice into a sufficiently structured form of legal reasoning. Humanistic Logic Theory responds to this challenge by converting its normative propositions into an analytical framework comprising Legal Rationality (LR), Humanity-Based Justice (HK), and Ethical Equilibrium (KE) under the broader architecture of Humanistic Logic (HL) (Cerar, 2023; Chen, 2023). LR evaluates normative consistency, doctrinal grounding, logical coherence, and the adequacy of legal justification. HK examines whether legal reasoning protects human dignity, recognizes vulnerability, and incorporates proportionality and substantive fairness. KE assesses whether the resulting legal response achieves a defensible balance among legality, harm prevention, moral responsibility, and human consequences. The framework therefore seeks to make humanitarian considerations analytically visible rather than leaving them to unstructured judicial intuition.

The Humanistic Logic framework operationalizes this relationship as a heuristic and normative-analytical structure rather than as an objective measurement of justice. Its purpose is not to quantify dignity or empathy as empirically fixed variables, but to require legal actors to disclose the reasoning behind assessments of legality, vulnerability, proportionality, and substantive consequences. In this respect, the framework is consistent with Alexy's theory of principles, which understands proportionality and balancing as forms of rational legal justification when competing principles cannot be resolved through simple rule subsumption (Alexy, 2002, 2021). Humanistic Logic extends this model by requiring vulnerability, dignity, and concrete human consequences to form an explicit part of the justificatory process.

The explanatory capacity of the framework can be illustrated through a real-world conflict between regulatory legality and substantive human considerations. Consider the case of Yogi Gilang Arya Setia in Mentawai, Indonesia, who provided Starlink-based internet access services to a remote community without the legally required authorization (Caniago, 2026). A strictly positivistic analysis could terminate once the formal elements of the licensing violation are established. Humanistic Logic Theory does not deny the legal significance of this violation; rather, it asks whether the resulting legal response remains proportionate and substantively defensible when the nature of the conduct, geographic isolation, limited digital connectivity, community need, socio-

economic conditions, regulatory purpose, and broader consequences of digital exclusion are taken into account. These contextual considerations do not eliminate the licensing requirement but become relevant to determining the appropriate legal consequence. The legal question therefore shifts from merely whether a regulatory rule has been violated to whether the response to that violation can be justified in a manner that simultaneously preserves legal certainty, regulatory accountability, proportionality, and substantive justice.

Sen's capability approach strengthens this analysis by shifting attention from formal institutional arrangements toward actual social realizations, substantive freedoms, and the capabilities individuals are genuinely able to exercise (Sen, 2009). In the illustrative case, the existence of a formal right to digital connectivity does not necessarily mean that economically marginalized residents possess the actual capability to access it. Limited geographical availability, financial barriers, and institutional weakness therefore become relevant to evaluating substantive justice. Humanistic Logic incorporates this insight by requiring legal reasoning to consider the gap between formal legal entitlement and effective access to rights.

The analysis also intersects with international human-rights law. Article 12 of the International Covenant on Economic, Social and Cultural Rights and General Comment No. 14 conceptualize the right to health through availability, accessibility, acceptability, and quality. Economic and geographical accessibility are particularly significant for vulnerable and marginalized populations. These principles do not eliminate professional licensing requirements, but they reveal that regulatory disputes may simultaneously involve questions of institutional responsibility. Humanistic Logic therefore prevents legal analysis from focusing exclusively on individual non-compliance when systemic failures have materially contributed to the circumstances producing the violation (Anosike, 2026). The illustrative assessment is summarized in Table 3.

Table 3. Illustrative Application of Humanistic Logic Theory

Dimension	Illustrative Assessment	Analytical Interpretation
Legal Rationality (LR)	Recognizes the formal licensing violation while considering the nature of the conduct, regulatory purpose, and institutional context	Legal certainty remains relevant, but rigid enforcement requires further justification

Humanity-Based Justice (HK)	Considers poverty, vulnerability, restricted healthcare access, limited digital connectivity, humanitarian intention, dignity, and absence of profit motive	Strong humanitarian considerations support a context-sensitive legal response
Ethical Equilibrium (KE)	Examines proportionality, healthcare accessibility, harm prevention, state responsibility, and broader social consequences	A proportionate response should balance regulatory interests with substantive human consequences
Humanistic Logic (HL)	Integrates legal rationality, humanity-based justice, and ethical equilibrium	The appropriate legal response should preserve legality while avoiding disproportionate substantive injustice

The significance of the assessment lies in its capacity to make the reasoning process transparent. Humanistic Logic requires decision-makers to identify the legal interest protected by a rule, the seriousness of actual or foreseeable harm, the availability of less restrictive measures, the vulnerability of affected persons, the contribution of institutional deficiencies, and the proportionality of the proposed response (Tolkachev, 2023). Humanitarian considerations are therefore transformed from intuitive sympathy into legally relevant factors that require explicit justification. This approach does not imply that humanitarian motives automatically excuse unlawful conduct. Such an interpretation would undermine legal certainty and could endanger vulnerable persons, particularly in highly regulated fields such as health, finance, or public safety. Humanistic Logic instead rejects mechanical enforcement detached from proportionality and context. A humanistic-rational response may still involve sanctions, but those sanctions should be justified in relation to actual risk, harm, motive, vulnerability, and available alternatives (Asada, 2019; Paolis, 2025). Depending on the legal system, appropriate responses could include differentiated sanctions, corrective measures, supervised compliance, administrative solutions, or restorative mechanisms.

This relationship between legality and proportionality also connects Humanistic Logic Theory with contemporary developments in global constitutionalism. Comparative scholarship demonstrates that proportionality has become a major method of constitutional and human-rights adjudication across jurisdictions, requiring public authorities to justify interference with rights rather than relying solely on formal legal authorization. Humanistic Logic potentially extends this development by adding a more

explicit human-consequence dimension to proportionality (Comella, 2025; Sieckmann, 2018). A state measure should therefore be assessed not only in terms of legitimate purpose, suitability, necessity, and balancing, but also in terms of how its burdens are distributed among differently situated persons.

The theory's global relevance is particularly visible in legal disputes involving migration, socio-economic rights, public health, labor protection, climate vulnerability, welfare administration, and digital governance. In these areas, formally neutral rules may generate disproportionately harmful effects for people experiencing poverty, disability, geographic isolation, migration insecurity, or digital exclusion. Humanistic Logic provides a transferable architecture through which courts and regulatory institutions can examine whether formally valid legal measures remain defensible when confronted with differentiated vulnerability and substantive human consequences (Catanzariti, 2022; Diz, 2025). Its potential contribution is also significant for AI-assisted and automated legal decision-making (Kaur, 2025). Algorithmic systems may achieve high levels of consistency while remaining insensitive to exceptional circumstances, structural disadvantage, or human vulnerability. Humanistic Logic distinguishes computational consistency from complete legal rationality. An automated decision should therefore not be regarded as legally sufficient merely because it follows programmed rules accurately; it must also remain explainable, proportionate, contestable, sensitive to vulnerability, and subject to meaningful human review (Babu et al., 2026; Sitepu et al., 2026). This makes the theory potentially relevant to emerging global debates on how technological efficiency can be reconciled with dignity, accountability, and substantive justice.

The global contribution of Humanistic Logic Theory therefore lies not in prescribing identical substantive outcomes across different jurisdictions. Legal cultures, constitutional structures, and institutional capacities remain diverse. Its contribution is instead the development of a transferable architecture of legal justification in which legality, coherence, proportionality, dignity, vulnerability, and human consequences are evaluated within the same reasoning process. Different legal systems may reach different conclusions, but they can nevertheless apply a common justificatory logic requiring law to explain not only why a rule authorizes a decision but also why the resulting treatment of affected persons remains humanly and normatively defensible (Havlíček, 2025).

Nevertheless, this contribution remains theoretical rather than empirically established. Concepts such as empathy, vulnerability, and ethical equilibrium may be interpreted differently across judges and jurisdictions, while the proposed analytical indicators have not yet undergone empirical or cross-jurisdictional validation (Stępień, 2025; Stępień & Rużyczka, 2025). Future research should therefore test the framework against actual judicial decisions, conduct expert and inter-rater assessment, compare its application across legal traditions, and determine which components can be generalized internationally and which require contextual adaptation. At its present stage, Humanistic Logic Theory is best understood as a normative-analytical model proposing that legal reasoning becomes more complete when formal validity, rational justification, and human consequences are evaluated together rather than sequentially or independently.

Conclusion

This study argues that the tension between legal certainty and substantive justice cannot be adequately resolved when rationality and humanity are treated as separate dimensions of legal reasoning. Although major jurisprudential traditions have contributed important insights on equity, fairness, coherence, proportionality, capability, and dignity, they do not independently provide a unified framework for integrating these elements within ordinary legal decision-making. Humanistic Logic Theory addresses this gap by positioning humanity as an internal condition of rational legal justification rather than an external ethical correction. Its analytical architecture integrates Humanistic Logic, Legal Rationality, Humanity-Based Justice, and Ethical Equilibrium. Within this framework, formal validity remains essential but insufficient; legally defensible decisions must also consider dignity, proportionality, vulnerability, and foreseeable human consequences. The illustrative application demonstrates that such considerations can be incorporated without abandoning legality or permitting unconstrained moral discretion.

The theory also has potential relevance beyond domestic jurisprudence. Global legal challenges involving migration, socio-economic inequality, public health, climate vulnerability, algorithmic governance, and AI-assisted decision-making increasingly expose situations in which formally valid rules produce disproportionate human effects. Humanistic Logic Theory therefore offers a transferable framework for advancing human-centered rational legality across diverse legal systems. Nevertheless, the

framework remains normative-conceptual. Its indicators have not yet been empirically validated and may be subject to interpretive variation. Future research should therefore test the theory across actual judicial decisions, different legal fields, and contrasting jurisdictions, while refining its analytical indicators through comparative and empirical validation.

References

- Alexy, R. (2014). Formal principles: Some replies to critics. *International Journal of Constitutional Law*, 12(3), 511–524. <https://doi.org/10.1093/icon/mou051>
- Anosike, W. (2026). Philosophy and Legal Reasoning. In *Rethinking Philosophy for Education, Society and Human Development in Sub-Saharan Africa* (pp. 89–97). <https://doi.org/10.1108/978-1-80592-531-620251008>
- Aristotle. (1999). *Nicomachean Ethics A4* - Irwin, Terence (2nd ed.). Hackett Publishing Company.
- Arnold, S. (2022). The Chain Novel and Its Normative Fine Structure in Civil Law and Common Law: Dworkin, Brandom and Law's Normativity. In *Law and Philosophy Library* (Vol. 139, pp. 29–49). https://doi.org/10.1007/978-3-030-87718-7_4
- Asada, M. (2019). Definition and legal justification of sanctions. In *Economic Sanctions in International Law and Practice* (pp. 3–23). <https://doi.org/10.4324/9780429052989-1>
- Babu, C. V. S., Hariharan, V., Surag, B. R. M., & Gayathri, R. R. (2026). Ethics by Design: Legal and Moral Foundations for Agentic AI in Autonomous Vehicles. In *Agentic AI for Autonomous Vehicles: Safety, Reliability, Law, and Ethics* (pp. 259–286). <https://doi.org/10.4018/979-8-3373-7355-3.ch009>
- Balasubramaniam, R. R. (2021). The Conceptual Case for Law as Integrity in Malaysia. In *Palgrave Studies in Classical Liberalism: Part F5513* (pp. 31–71). https://doi.org/10.1007/978-3-030-79537-5_2
- Barak, A., & Kalir, D. (2012). Proportionality: Constitutional rights and their limitations. In *Proportionality: Constitutional Rights and their Limitations*. <https://doi.org/10.1017/CBO9781139035293>
- Baudoin, M.-É. (2024). The Polysemy of the Concept of Human Dignity in the Jurisprudence of European Constitutional Courts: A Potential Threat to Human Rights Protection? *International and Comparative Law Review*, 24(1), 120–138. <https://doi.org/10.2478/iclr-2024-0008>
- Brownsword, R. (2015). Human dignity from a legal perspective. In *The Cambridge Handbook of Human Dignity: Interdisciplinary Perspectives* (pp. 1–22). <https://doi.org/10.1017/CBO9780511979033.003>
- Bueno, E. D. P., & Silva, E. M. D. Da. (2022). An International Legal Perspective on Human Dignity: The Extrinsic Recognition of an Intrinsic Condition. *Canadian*

- Yearbook of International Law*, 59, 313–340. <https://doi.org/10.1017/cyl.2022.23>
- Bui, D. T., & Nguyen, T.-D. (2025). The inadvertent migration of proportionality and the role of Ex-Ante constitutional review in the Vietnamese lawmaking process. *Theory and Practice of Legislation*, 13(1), 1–30. <https://doi.org/10.1080/20508840.2024.2399481>
- Burlaka, O., Churpita, H., Romanchenko, E., Bilianska, N., Senyk, S., & Lyamar, Y. (2024). Social and Humanistic Nature of Justice in Civil Cases. *Archives Des Sciences*, 74(4), 100–104. <https://doi.org/10.62227/as/74414>
- Caniago, H. (2026). Sidang kasus penjualan wifi Starlink untuk warga Mentawai, terdakwa dinyatakan bersalah tapi tak dipenjara. *BBC News Indonesia*. <https://www.bbc.com/indonesia/articles/cmvg4zn8zxxyo>
- Catanzariti, M. (2022). The juridification of vulnerability in the European legal culture. *Onati Socio-Legal Series*, 12(6), 1391–1416. <https://doi.org/10.35295/OSLS.IISL/0000-0000-0000-1314>
- Cerar, M. (2023). Ethical Perspective of The Future Development of Law. *Medicine, Law and Society*, 16(2), 247–266. <https://doi.org/10.18690/mls.16.2.247-266.2023>
- Červínek, Z. (2020). Alexy's Theory of Proportionality: Critical Reflection. *Pravnik*, 159(12), 925–926. <https://www.scopus.com/pages/publications/85168380944?origin=resultslist>
- Chen, X. (2023). Humanistic Foundation of Criminal Law. In *Humanistic Foundation of Criminal Law*. <https://doi.org/10.1007/978-981-19-9764-8>
- Chen, X. (2026). Learning ethical sensitivity through authentic legal experience: an educational psychology perspective on court hearing engagement. *Frontiers in Psychology*, 17. <https://doi.org/10.3389/fpsyg.2026.1796884>
- Comella, V. F. (2025). Beyond the principle of proportionality. In *Comparative Constitutional Theory, Second Edition* (pp. 312–330). <https://doi.org/10.4337/9781035306411.00021>
- Czepek, J. J. (2024). Dignity in the Jurisprudence of European Court of Human Rights. *International and Comparative Law Review*, 24(1), 107–119. <https://doi.org/10.2478/iclr-2024-0007>
- Diz, F. M. (2025). Procedural Protection of Vulnerable Persons: Fitting The Judicial Process. *Teoria y Derecho*, (39), 44–69. <https://doi.org/10.36151/TD.2025.131>
- Dworkin, R. (1986). *Law's Empire*. Belknap Press of Harvard University Press.
- Feteris, E. T. (2017a). Habermas's discourse theory and the rationality of legal discourse. In *Argumentation Library* (Vol. 1, pp. 77–93). https://doi.org/10.1007/978-94-024-1129-4_5
- Feteris, E. T. (2017b). The logical approach of legal argumentation. In *Argumentation Library* (Vol. 1, pp. 23–47). https://doi.org/10.1007/978-94-024-1129-4_2
- Flores, Á. O. R. (2021). The different types of conceptual analysis and its applications in

- legal theory. Toward metodological integration. *Problema*, (15), 549–574. <https://doi.org/10.22201/IIJ.24487937E.2021.15.16132>
- Friedman, L. M. (2005). Coming Age: Law and Society Enters an Exclusive Club. In *Annual Review Law Social Science*.
- Garcés-Velástegui, P. (2022). Modelling Amartya Sen's Capability Approach: An Interdisciplinary and Contemporary Account. *Philosophical Readings*, 14(2), 85–93. <https://doi.org/10.5281/zenodo.7030271>
- Gasiokwu, P. I., Esavwede, J. P., Aloamaka, P. C., & Iheanacho, L. (2024). Critical Examination of Emerging Issues in Refugee Protection: A Transnational Legal Perspective. *Jurnal IUS Kajian Hukum Dan Keadilan*, 12(2), 423–446. <https://doi.org/10.29303/ius.v12i2.1364>
- Gruodyte, E., & Orlauskas, K. (2024). Proportionality of the Application of Criminal Liability for Gifts in the Healthcare System of Lithuania: Alternatives for Effective Corruption Prevention. *International and Comparative Law Review*, 24(2), 185–201. <https://doi.org/10.2478/iclr-2024-0024>
- Hariyanti, T. (2013). The Contribution of Literature in the Humanization of the Law in Indonesia. *Humaniora*, 25(2), 117–128. <https://journal.ugm.ac.id/jurnal-humaniora/article/view/2355>
- Havlíček, T. (2025). Epistemology of equilibrium. In *Research Handbook on Epistemologies of Law* (pp. 118–130). <https://doi.org/10.4337/9781035348008.00017>
- Havlíková, B. (2024). The Influence of New Technologies on The Concept of Human Dignity in European Law. *Lawyer Quarterly*, 14(1), 101–110. <https://www.scopus.com/pages/publications/85188705156?origin=resultslist>
- Jansen, N. (2024). The Awakening of Legal Modernity? Renaissance Humanism and 16th-Century Jurisprudence. *Zeitschrift Der Savigny-Stiftung Fur Rechtsgeschichte, Germanistische Abteilung*, 141(1), 189–246. <https://doi.org/10.1515/zrgg-2024-0005>
- Jellamo, A. (2019). Observations on Legality and Justice. Kant, Kelsen, Radbruch. *Rivista Di Filosofia Del Diritto*, 8(2), 401–418. <https://doi.org/10.4477/95068>
- Kaur, G. (2025). Justice in the Digital Age: Popular Culture and the Rise of AI- Powered Legal Decision- Making. In *Artificial Intelligence for Legal System: Jurisprudence in the Digital Age* (pp. 148–165). <https://doi.org/10.1201/9781003491903-12>
- Manhas, N. S., Sharma, N., & Tomer, A. (2026). A World of Rights: Navigating the Global Landscape of Human Rights. In *A World of Rights: Navigating the Global Landscape of Human Rights*. <https://doi.org/10.4324/9781003787594>
- Neuhäuser, C., & Stoecker, R. (2015). Human dignity as universal nobility. In *The Cambridge Handbook of Human Dignity: Interdisciplinary Perspectives* (pp. 298–309). <https://doi.org/10.1017/CBO9780511979033.036>
- Nonet, P., & Selznick, P. (2017). Responsive Law. In *Law & Society in Transition* (pp.

- 73–114). Routledge. <https://doi.org/10.4324/9780203787540-4>
- Paolis, E. De. (2025). The sanctioning discretion on the test case of continuing offence: between innovative approaches and traditional resistance. *Archivio Penale*, 2025-Sette(3).
<https://www.scopus.com/pages/publications/105025670290?origin=resultslist>
- Pin, A. (2025). Dignity in Judgment: Constitutional Adjudication in Comparative Perspective. In *Dignity in Judgment: Constitutional Adjudication in Comparative Perspective*. <https://doi.org/10.1093/9780198922469.001.0001>
- Radbruch, G. (2006). Statutory Lawlessness and Supra-Statutory Law (1946). *Oxford Journal of Legal Studies*, 26(1), 1–11. <https://doi.org/10.1093/ojls/gqi041>
- Rawls, J. (2001). *Justice as Fairness: A Restatement*. Harvard University Press.
- Sáenz, M. J. (2019). Reconsidering empathy in the “law and Literature” movement. *Revista Derecho Del Estado*, (43), 351–372. <https://doi.org/10.18601/01229893.n43.13>
- Sen, A. (2009). *The idea of justice*. Harvard University Press.
- Sieckmann, J. (2018). Proportionality as a universal human rights principle. In *Proportionality in Law: An Analytical Perspective* (pp. 3–24). https://doi.org/10.1007/978-3-319-89647-2_1
- Silalahi, A. D. (2025). Criticising The Political System and The Normativity Foundations through Joseph Raz’s Legal and Philosophical Thought. *Mimbar Hukum*, 37(1), 55–82. <https://doi.org/10.22146/mh.v37i1.20234>
- Sitepu, R. I., Wulansari, C. D., & Sitepu, A. E. S. B. (2026). AI and Judicial Decision-Making: A Systematic Review of Applications and Ethical Consideration. *AIP Conference Proceedings*, 3432(1). <https://doi.org/10.1063/5.0331343>
- Stępień, M. (2025). Judges and the struggle to understand empathy. In *Judges, Decision Making and Empathy: Insights from the Bench* (pp. 52–71). <https://doi.org/10.4324/9781003546580-4>
- Stępień, M., & Rużyczka, E. W. (2025). Judges, Decision Making and Empathy: Insights from the Bench. In *Judges, Decision Making and Empathy: Insights from the Bench*. <https://doi.org/10.4324/9781003546580>
- Sunaryo. (2022). John Rawls’s Concept of Fairness, Criticism and Relevance. *Jurnal Konstitusi*, 19(1), 1–22. <https://doi.org/10.31078/jk1911>
- Tolkachev, K. B. (2023). Humanistic Principles in Russian and Foreign Constitutional Law. *Gosudarstvo i Pravo*, 2023(12), 59–65. <https://doi.org/10.31857/S102694520029291-1>
- Tukhvatulina, L. A., & Krzhevov, V. S. (2019). Rationality as a fundamental notion of legal philosophy: On the letter and the spirit of law. *Voprosy Filosofii*, (1), 26–30. <https://doi.org/10.31857/S004287440003614-0>