



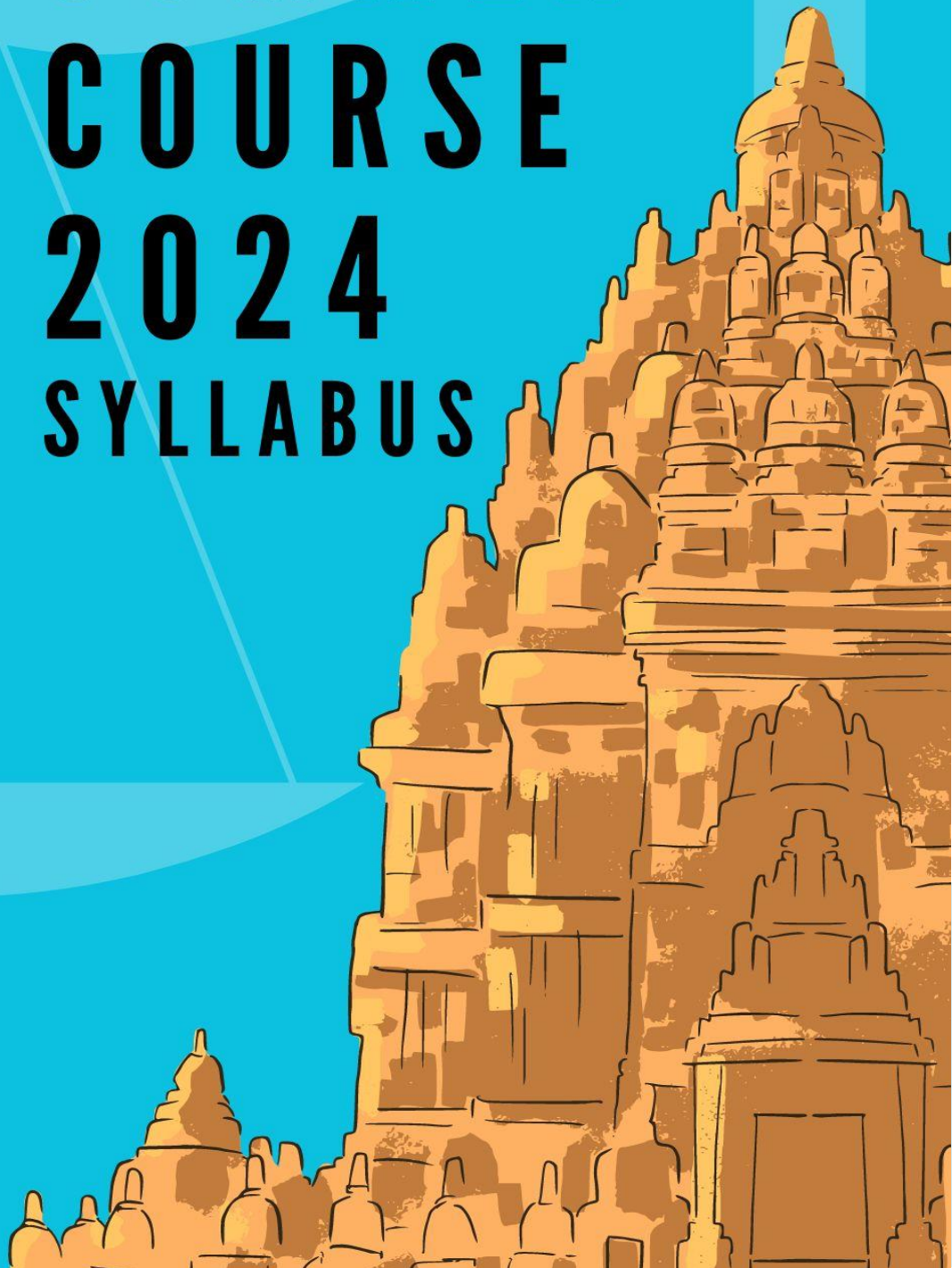
UNIVERSITAS  
INDONESIA  
*Veritas, Probitas, Justitia*

FAKULTAS

HUKUM

FACULTY OF  
LAW  
UNIVERSITAS  
INDONESIA  
INDONESIAN  
LAW AND ITS  
APPLICATION  
UNITY IN  
DIVERSITY  
23 - 30 JUNE  
2024

# SUMMER COURSE 2024 SYLLABUS



## COURSE OVERVIEW

|                     |  |
|---------------------|--|
| Participants        | : For University Student that have background in law, but we are open to applicants in other backgrounds in social science and related subject   |
| Lecturers           | : 1. Prof. Dr. Jimly Asshiddiqie, SH, MH<br>2. Prof. Dr. M. R. Andri Gunawan Wibisana, SH, LL.M<br>3. Prof. Dr. Topo Santoso, SH, MH<br>4. Dr. Gemala Dewi, SH, LL.M<br>5. Heru Susetyo, SH, LL.M, MSi, MAg, Ph.D<br>6. Dr. Qurrata Ayuni, SH, MH<br>7. Abdul Karim Munthe, SH, SHI<br>8. Bono B. Priambodo, SH, MSc.<br>9. Conrado Cornelius, SH, LL.M<br>10. Mirza Azwar Karim, SH, LL.M<br>11. Titi Anggraini, SH, MH |
| Forms of tuition    | : Lectures, excursions, and individual assignment  |
| Forms of assessment | : Individual presentation  |
| Credits             | : 2 credits (90 hours)   |
| Language            | : English  |
| Notes               | : Participant should bring laptop or gadgets   |

## PROGRAM DESCRIPTION

Experience the Essence of Indonesia Unity in Diversity Value of Law through Faculty of Law, Universitas Indonesia Summer Course 2024 Program.

Embark on a transformative journey into the heart of Indonesian law with our specially curated thematic summer course. Designed to provide students with essential insights and understanding, this immersive experience promises to be both enlightening and enriching.

Explore the dynamic landscape of Indonesian law through a blend of positive and empirical legal studies. From captivating classroom lectures to enriching study excursions in Jakarta, the bustling economic capital, and Solo, the cultural and political center of the archipelago under the Sultanate of Pakubhuwana and Mangkunegaran, every aspect of this course is crafted to offer a holistic view of Indonesian legal practices.

Step into the halls of justice with visits to prestigious institutions such as the Indonesian Supreme Court and Constitutional Court. Immerse yourself in the rich cultural heritage of Indonesia with visits to the majestic Mangkunegaran Palace and the vibrant Batik Village. And don't miss the chance to witness the breathtaking grandeur of the romantic Ramayana Epoch ballet performance at the Prambanan temple court.

This year, our summer course focuses on exploring the fundamental principle of unity in diversity within Indonesian law. Divided into four captivating sub-courses, you'll delve into the intricacies of Indonesian legal system, constitutional law, Islamic law, and environmental law.

From the unique electoral system that upholds national democracy values to the fascinating dynamics of Islamic law in the world's largest Muslim-majority country, each course promises to ignite your curiosity and broaden your understanding.

As a G20 developing country with unparalleled biodiversity, Indonesia faces the challenge of balancing economic development with environmental preservation. Gain invaluable insights into Indonesian environmental law, covering topics such as climate change, carbon trading, and environmental protection, and discover how Indonesia is shaping its policies for a sustainable future.

Don't miss this opportunity to deepen your understanding of Indonesian law and broaden your horizons. Join us for an unforgettable journey into the heart of Indonesian legal culture at the Faculty of Law, Universitas Indonesia Summer Course 2024.

## **COURSE DESCRIPTION**

This program is structured into two main segments. In the initial phase, participants will delve into foundational aspects of the Indonesian legal system. Topics covered include an overview of the Indonesian legal framework, its judicial system, contract law, property law, tort law, criminal law, and constitutional law. These sessions will take place over the course of day 1 (one) and day 2 (two).

The subsequent segment features three specialized panels focusing on distinct areas of Indonesian law. These panels will explore Islamic law, electoral law and village governance, and environmental law, respectively. This segment is scheduled for day 3(three). Participants are required to complete the foundational sessions comprising the first part of the program. Subsequently, each participant must select one of the three specialized topics to explore further, participating in the corresponding panel discussion.

### **1. Introduction to Indonesian Islamic Law**

This course will provide an introduction to the application of Islamic law in Indonesia. This term refers to legal materials about Islamic Law and its interaction with other Laws in Indonesia, and the application on some areas of Islamic Law in Indonesia's regulations and Practices. During the first part of this course, will be introduced the main sources of Islamic law, the formation of Islamic jurisprudence, and the legal history of the development of Islamic law and legal institutions in Indonesia which will be examined with other law in Indonesia which existed in the societies. In the second part of the course, we will sample several substantive areas: Islamic Law and Economic Activities, Islamic Criminal Law in Aceh and Islamic Property Law in Practices. These areas will include a study of various cases where Islamic law has been debated in Indonesian courts. The course will also focus on human rights in the Islamic legal tradition and in the contemporary Islamic world, especially in Indonesian regulation.

## 2. Introduction to Indonesia General Election and Law of Village/District

This course not only provides an in-depth exploration of the electoral landscape in Indonesia but also sheds light on its historical evolution. Participants will delve into the intricacies of Indonesia's electoral system, examining its implementation, the pivotal role played by organizing bodies, and the critical aspects of supervision and law enforcement, notably election criminal law. Moreover, contemporary issues shaping the electoral landscape in Indonesia will be thoroughly analyzed.

In parallel, learners will gain insights into the foundational fabric of Indonesian society through an examination of its village structures. By exploring the diverse nomenclatures used to refer to these entities—such as *desa*, *gampong*, *huta*, and *nagari*—across different regions, participants will understand the significance of villages as the indigenous polities of Indonesia. Despite enduring centuries of invasions and assimilation attempts by various rulers, these villages persist as the fundamental units of Indonesian statehood. Today, they stand as the smallest autonomous local government entities, intimately engaging with Indonesian citizens on a day-to-day basis.

## 3. Indonesian Environmental Law

This course provides a comprehensive overview of environmental law and in Indonesia, with a focus on the environmental law enforcement in Indonesia, Environmental Resources Management and Conservation in Indonesia and climate change litigation in Indonesia. Student will review environmental legal frameworks, management strategies, enforcement mechanisms, and litigation cases, through a blend of lectures, case studies, and interactive discussions.

## WHAT YOU WILL GET

- Embark on a transformative journey at Indonesia's Number #1 ranked university for Law and Legal Sciences, as recognized by QS and THE Rankings. Dive deep into the intricacies of Indonesian law with a comprehensive learning experience tailored to your success.
- Immerse yourself in the heart of Indonesia's legal system with direct access to esteemed institutions such as the Indonesian Supreme Court, Indonesian Constitutional Court, and The Kadipaten Mangkunegaran (*The Sultanate of Mangkunegara*). Gain invaluable insights and practical knowledge from the very pillars of Indonesian jurisprudence.
- Expand your horizons and forge invaluable connections within our vibrant academic community. Through collaborative research opportunities and networking events, you'll have the chance to build a robust professional network in Indonesian law, setting the stage for your future success.
- Discover the rich tapestry of Indonesia's legal landscape and embrace the ethos of unity in diversity that underpins its legal framework. Engage in a multicultural learning environment that celebrates diversity, fostering a dynamic and enriching educational experience unlike any other.

# LEARNING OBJECTIVES

## General Learning Objective

- Learn and understand Indonesian Law and its Legal System
- Earn in depth insight on Indonesian Constitutional Law, Islamic Law and Environmental Law
- Explore and discover the unity in diversity values of Indonesian law

## Introduction to Indonesian Islamic Law

By the end of the course, students should be familiar with some aspects on Islamic law in application in Indonesia, such as should be able to understand the basic principles of Islamic law; the influence of Islamic law in Indonesian societies; the main differences between Islamic law and Western legal systems in key areas of interest; be able to discuss contemporary issues relating to Islamic law in Indonesia, especially on Islamic Economic Law, Islamic Criminal Law and Some cases on Islamic Property Law. Let For the evaluation students will be carry out independent research on Islamic law and Practices in Indonesia on the field trip; and undertake a presentation at the end of the course (to evaluate both written and oral analysis and debate capacity on key issues in Islamic law in Indonesia).

## Introduction to Indonesia General Election and Law of Village/District

Upon completion of this program, participants will acquire a comprehensive understanding of the electoral landscape in Indonesia. They will be equipped to discern the historical underpinnings of elections in the country and articulate the intricacies of its electoral system, including its implementation. Furthermore, participants will gain insight into the respective duties of key stakeholders involved in organizing elections in Indonesia, alongside comprehending the model of supervision and law enforcement governing electoral processes in the nation.

Building upon this knowledge, participants will emerge from the course with a multifaceted understanding of Indonesia's village structures. They will adeptly recognize and elucidate the significance of villages within the country, elucidating their roles and statuses as per the evolving legal frameworks throughout Indonesian history. By delving into a historical timeline analysis, participants will critically evaluate the evolution of policies, laws, and regulations pertaining to villages from the classical era to the present day under the Republic of Indonesia. Empowered with this understanding, participants will be poised to propose alternative trajectories for these indigenous polities, particularly as autonomous local government units, within the contemporary policy and regulatory landscape of the Republic of Indonesia.



## Indonesian Environmental Law

After completing this course, participants are expected to:

- Earn a comprehensive understanding of the legal frameworks governing environmental protection and management in Indonesia.
- Understand complexities of climate change , environmental conservation, and sustainable development initiatives and policy in the Indonesian context.
- Able to Evaluate the effectiveness of environmental law enforcement mechanisms and identify strategies for enhancing compliance and enforcement.
- Understanding the role of litigation in addressing climate change impacts and promoting environmental justice in Indonesia.
- Developing critical thinking skills through case studies and discussions on real-world environmental challenges and legal responses.

## ASSESSMENT

### Final Task/Works

Individual presentation about “What do I Learn From Unity and Diversity value in Indonesian Law.” Each student should deliver a final presentation at the end of the program. Final work is based on the following assessment scoring criteria.

| Scoring Criteria                         | Scoring Details   | Point |
|--|---|-------|
| Content<br>(40 Points)                   | Introduction (Clear introduction of concept, including relevance and objectives of the presentation).   | 10    |
|  | Understanding (Demonstrates comprehensive understanding of including key themes such as Islamic property law, constitutional law and or environmental law).   | 10    |
|  | Research and Examples (in-depth research and specific examples/case studies to illustrate Islamic law, environmental law, and constitutional law principles). | 10    |
|  | Conclusion (Summarizes key points and discusses potential future developments or solutions).  | 10    |
| Organization<br>(20 points)              | Structure of Presentation.  | 10    |
|  | Clarity and Coherence.  | 10    |
| Delivery<br>(20 points)                  | Communication skills.   | 10    |
|  | Use of Visual Aids.   | 10    |
| Creativity and Engagement<br>(20 points) | Time and Pacing.  | 10    |
|  | Engagement.   | 10    |

## **SCHEDULE**

### **Monday, 24 June 2024**

|               |  |
|---------------|--|
| 09.00 – 09.30 | Course Opening<br>Welcoming speech by Dean of Faculty of Law,<br>Universitas Indonesia<br>Performance: traditional dance |
| 09.30 – 11.30 | Introduction to Indonesian Legal System  |
| 11.30 – 12.30 | Lunch Break  |
| 12.30 – 14.00 | Indonesian Judicial System   |
| 14.00 – 14.15 | Coffee Break   |
| 14.15 – 15.45 | Indonesian Contract Law  |
| 15.45 – 16.45 | Faculty and UI Tour  |

### **Tuesday, 25 June 2024**

|               |                               |
|---------------|-------------------------------|
| 08.30 – 10.00 | Property Law                  |
| 10.00 – 10.15 | Coffee Break                  |
| 10.15 – 11.45 | Tort Law in Indonesia         |
| 11.45 – 13.00 | Lunch Break                   |
| 13.00 – 14.30 | Indonesian Criminal Law       |
| 14.30 – 14.45 | Coffee Break                  |
| 14.45 – 16.15 | Indonesian Constitutional Law |

### **Wednesday, 26 June 2024**

#### *Panel: General Elections and Village Law in Indonesia*

|               |  |
|---------------|--|
| 08.30 – 10.00 | Indonesian Electoral Systems               |
| 10.00 – 10.15 | Coffee Break                               |
| 10.15 – 11.45 | Dispute Settlement in Indonesian Elections |
| 11.45 – 13.00 | Lunch Break                                |
| 13.00 – 14.30 | Criminal Law in Indonesian Elections       |
| 14.30 – 14.45 | Coffee Break                               |
| 14.45 – 16.15 | Village Law                                |

#### *Panel: Islamic Law*

|               |   |
|---------------|---|
| 08.30 – 10.00 | Interaction Islamic Law with other Law in Indonesia |
| 10.00 – 10.15 | Coffee Break  |
| 10.15 – 11.45 | Islamic Law and Economic Activities                 |
| 11.45 – 13.00 | Lunch Break   |
| 13.00 – 14.30 | Islamic Criminal Law in Aceh                        |
| 14.30 – 14.45 | Coffee Break  |
| 14.45 – 16.15 | Islamic Property Law in Practice                    |

#### *Panel: Environmental Law*

|               |  |
|---------------|--|
| 08.30 – 10.00 | Introduction to Environmental Law in Indonesia |
| 10.00 – 10.15 | Coffee Break                                   |
| 10.15 – 11.45 | Enforcement in Environmental Law               |
| 11.45 – 13.00 | Lunch Break                                    |
| 13.00 – 14.30 | Climate Change Law in Indonesia                |
| 14.30 – 14.45 | Coffee Break                                   |

14.45 – 16.15 Climate Litigation in Indonesia

#### **Thursday, 27 June 2024**

09.00 – 12.00 Visit Trip: Constitutional Court & Supreme Court  
12.00 – 13.00 Lunch  
13.00 – 15.00 Visit Monumen Nasional, Istiqlal Mosque,  
Cathedral Church

#### **Friday, 28 June 2024**

Trip to Solo  
Solo Program Day 1

#### **Saturday, 29 June 2024**

Presentation (assessment)  
Solo Program Day 2

#### **Sunday, 30 June 2024**

Solo Program Day 3  
Closing Ceremony  
Trip to Jakarta

## **READING LIST**

### **Introduction to Indonesian Islamic Law**

- Arifin, Zarul. "Performance of Islamic Law In Indonesia In The Fields of Civil, Private Law, Public Law And Ethic." *SYARIAH Jurnal Hukum dan Pemikiran*. Volume 21, No.1, June 2021 <https://jurnal.uin-antasari.ac.id/index.php/syariah/article/view/4161>
- Asasriwarni and M. Jandra. "Comparison of Legal System Islamic Law System, Civil Law, and Common Law." *UMRAN – International journal of Islamic and Civilizational Studies*, vol. 5, no. 2-1 (2018) <https://jurnalumran.utm.my/index.php/umran/article/download/304/140/1485>
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- Efendi, Sumardi and Erha Saufan Hadana. "Criminal Law And Social Development In Aceh." Proceeding of Dirundeng International Conference on Islamic Studies (DICIS 2021), [https://www.researchgate.net/publication/363394175\\_CRIMINAL\\_LAW\\_AND\\_SOCIAL\\_DEVELOPMENT\\_IN\\_ACEH/link/636c7f0837878b3e8799a79c/download?tp=eyJjb250ZXh0Ijp7ImZpcnNOUGFnZSI6InB1YmxpY2F0aW9uIn19](https://www.researchgate.net/publication/363394175_CRIMINAL_LAW_AND_SOCIAL_DEVELOPMENT_IN_ACEH/link/636c7f0837878b3e8799a79c/download?tp=eyJjb250ZXh0Ijp7ImZpcnNOUGFnZSI6InB1YmxpY2F0aW9uIn19)
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- Sulistiyarini, Rachmi. *Et al.* "The Contact Point of Customary Law and Islamic Law (Legal History Perspective)." *Int. J. Soc. Sc Manage*. Vol. 5, Issue-2: 51-59 (2018). <https://www.nepjol.info/index.php/IJSSM/article/view/19672/16106>

### **Introduction on Law of Village/District**

- Antlov, H. and Sutoro, E. (2012) "Village and sub-district functions in decentralized Indonesia." Paper presented in DSF's Closing Workshop.
- Bedner, A. and van Huis, S. (2008) "The return of the native in Indonesian law. Indigenous communities in Indonesian legislation." *Bijdragen tot de Taal, Land en Volkenkunde* 164 (2/3): 165 – 193.
- Davidson, J.S. and Henley, D. (Eds.) (2007) *The Revival of Tradition in Indonesian Politics. The deployment of adat from colonialism to indigenism*. Oxon: Routledge. Chapter 1 Davidson, J.S. and Henley, D. "Introduction: Radical conservatism - the Protean politics of adat." *Ideological inheritances* pp. 19 – 23, *Between protection and domination in adat politics* pp. 23 – 28.
- Holleman, J.F. (Ed.) (1981) *Van Vollenhoven on Indonesian Adat Law*. Dordrecht: Springer. Chapter I Adat, Adat Law, Native Law pp. 1 – 6. Chapter II The Elements of Adat Law pp 7 – 23. Chapter IV Law Areas pp 41 – 53. Chapter V Aceh; VI Minangkabau; and, VII Central and East Java, with Madura; particularly concerning Delimitation; Jural Communities; Individuals; (Village government); Executive, judicial, legislative powers; Justice; Indigenous legislation; and, Inter-local law.
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### **Introduction to Indonesian General Election**

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- Aenal Fuad Adam, Wellem Levi Betaubun, dan Nur Jalal. "Quo Vadis Parliamentary Threshold di Indonesia." *JlIP: Jurnal Ilmiah Ilmu Pemerintahan* 6 (Maret 2021).
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