

English for Specific Purposes (ESP)



LEGAL ENGLISH FOR LAW STUDENTS

(Bahasa Inggris Hukum untuk Mahasiswa Hukum)

JILID 1

Tira Nur Fitria S.Pd., M.Pd.



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"Legal English for Law Students" is a comprehensive guide aimed at equipping law students with the linguistic tools and knowledge needed to navigate the legal profession. The book covers essential topics such as the unique terminology and structures of Legal English, along with an in-depth examination of key legal concepts, vocabulary, and principles. It explores the sources of law, legal documents, and how to interpret various legal texts, including statutes and case law. Additionally, the text discusses the roles, responsibilities, and ethical considerations of legal practitioners, emphasizing the importance of legal ethics.

The book also provides a thorough understanding of legal procedures, court structure, and processes, particularly in the context of Indonesia. It includes activities for developing reading, writing, speaking, and listening skills and highlights the significance of legal communication. With 33 chapters, the book offers practical insights into the characteristics of legal texts, key legal vocabulary, and the ethical responsibilities of legal professionals. Ultimately, it prepares students to engage effectively with the legal system, both theoretically and practically.

The book also covers various fields of law—including Criminal, Civil, Administrative, Constitutional, Family, Property, Real Estate, Contract, Tort, Commercial, Business, Banking and Finance, Tax, Insurance, Religious (Islamic/Sharia), Customary, Environmental, Cultural Property, Cyber, Charity, Social Welfare, International Law. Each provides principles, relevant cases, and exercises to develop critical skills. The concluding focus on international law examines its principles and key cases in both public and private domains. Throughout, practical tasks and interactive exercises enhance learning, making this guide a vital tool for law students as they prepare for successful careers in the legal profession by fostering proficiency in both legal concepts and the language of law.

The book emphasizes practical applications through a chapter on Legal English in Practice, ensuring students can effectively apply their knowledge in real-world legal settings. With its exhaustive coverage, "Legal English for Law Students" is an essential resource for aspiring legal professionals seeking a robust understanding of legal English and its application across various branches of law.



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Assalamu'alaikum Wr. Wb

With great gratitude and pride, the author presents the book "English for Specific Purposes (ESP) : Legal English for Law Students (Bahasa Inggris Hukum untuk Mahasiswa Hukum) Jilid 1" This book is the result of dedication and hard efforts to meet the special needs of law students in mastering English that is relevant and applicable in a legal context.

Along with the progress of globalization and increased international interaction in various fields, mastery of English, especially in legal contexts, has become very important. Understanding and using English in legal situations is not just an additional skill, but an essential skill for future legal professionals. This book is designed to provide a comprehensive and structured guide so that law students can master English in the most effective way that suits their needs.

This book is a valuable resource for legal education, offering 57 well-structured chapters that equip students with essential English language skills for their careers. Covering a wide range of topics—from basic legal concepts and terminology to advanced document drafting and legal discourse—each chapter addresses the specific linguistic needs of law students and professionals. The book blends theoretical insights with practical applications, using case studies, interactive exercises, and examples to bridge the gap between academic learning and real-world legal practice. The structure of this book reflects a deep understanding of the intersection between language and law. It combines theoretical insights with practical applications, ensuring that readers not only grasp the nuances of legal English but also apply them effectively in real-world scenarios. The use of case studies, interactive exercises, and practical examples further enhances the learning experience, bridging the gap between academic knowledge and practical skills.

We hope that this book can be a useful tool and provide added value to the academic and professional journey of law students. We would like to express our thanks to all parties who

have supported and contributed to the making of this book, especially legal experts, English teachers, and students who have provided valuable input and inspiration. This book is not just a learning tool; it is a stepping stone for students aiming to excel in their legal studies and practice. Providing a solid foundation in legal English empowers students to approach their studies with greater confidence and prepares them for the global legal landscape.

Enjoy reading and hopefully, this book can help you achieve success in the legal field!

Sukoharjo, November 2024
[Tira Nur Fitria]

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WHAT SHOULD YOU KNOW FIRST!

Tenses are used to indicate the time, duration, and relationships between events, allowing us to express ideas with clarity and precision. Tenses indicate the time an action or event occurs in a sentence whether in the past, present, or future. Tenses are very important in writing active and passive sentences in English because they help show when an action or event occurs and who does or receives the action. In an active sentence, the subject acts, while in a passive sentence, the subject receives the action. Sentences written in active voice are easier to understand than sentences written in passive voice (Fitria, 2022).

The use of active and passive voice has an important role in forming English sentences (Fitria, 2023). Active voice places the subject as the main actor in the sentence, while passive voice emphasizes the object or recipient of the action. There are several rules in changing active voice to passive voice. The subject in the active sentence is changed to the object of the passive sentence. The object of the active sentence is changed to the subject in the passive sentence. The meaning of the sentence does not change in other voice forms. The tense of the verb cannot change. The preposition by is used in passive sentences to give meaning that completes the sentence. It should be noted that to change the voice it is not necessary to change the tense of the given verb, taking into account both singular and plural subjects and objects.

A. Simple Present Tense

This tense is used to describe actions that are habitual, general truths, or scheduled events. It is formed by using the base form of the verb with singular subjects (I, you, he/she/it) and the base form + "s" with plural subjects (we, you, they).

Active Form	Subject + Base form of verb (+s/es for third person singular)
Passive Form	Subject + am/is/are + past participle (V3)

INTRODUCTION

"Legal English for Law Students" is a comprehensive guide designed to equip law students with the essential linguistic tools and knowledge necessary for navigating the complexities of the legal profession. The book begins with an introduction to Legal English, outlining its unique terminology and language structures, followed by a detailed examination of Legal Concepts. This foundational section prepares students to understand and utilize the specialized vocabulary and principles encountered in legal studies and practice. The next chapters focus on the Sources of Law and the Legal Text that form the basis of legal systems. Students learn to interpret and analyze various legal documents, from statutes to case law, enhancing their ability to engage with legal texts effectively. The book then delves into the nature of Legal Documents and the Legal Profession, discussing the roles, responsibilities, and ethical considerations inherent in legal practice. A crucial part of legal training is understanding Legal Ethics, which is explored in depth alongside Legal Procedures. The book then covers the intricacies of Court Structure, Court Procedure, and Court Process, providing a clear framework for understanding the judicial system.

The book comprises 33 comprehensive chapters, beginning with an introduction to the definition, concept, and purposes of law, which lays the groundwork for understanding legal principles. It explains the significance of legal English, providing examples and emphasizing its importance for both teachers and students. The text discusses various sources of law, particularly in Indonesia, and integrates activities for reading, writing, speaking, and listening.

Further chapters examine the characteristics and types of legal texts, along with insights into different types of legal documents and the skills needed to read and produce them effectively. Key legal vocabulary and communication skills are introduced to help students articulate their ideas in the legal field. Ethical responsibilities of legal practitioners are explored, reinforcing the importance of integrity in law. Legal procedures and

LEGAL TERMS

No	Terms	Indonesian Meaning
1.	Abandonment Pengabaian	Tindakan meninggalkan sesuatu atau gagal mendukung sesuatu.
2.	Abatement Pengurangan	Pengurangan atau penghapusan sesuatu, seperti gangguan atau tindakan hukum.
3.	Accord Kesepakatan	Kesepakatan atau penyelesaian antara pihak-pihak.
4.	Accusation Tuduhan	Klaim bahwa seseorang telah melakukan kejahatan atau pelanggaran.
5.	Accused Terdakwa	Orang atau entitas yang didakwa atas kejahatan atau pelanggaran.
6.	Acknowledgment Pengakuan	Pengakuan formal atas keabsahan dokumen atau perjanjian.
7.	Acquittal Pembebasan	Putusan bahwa seseorang tidak bersalah atas kejahatan.
8.	Acquittal Pembebasan	Putusan bahwa seseorang tidak bersalah atas kejahatan yang mereka tuduhkan.
9.	Adjournment Penundaan	Tindakan menunda sidang pengadilan ke tanggal lain.
10.	Adjudicate Mengadili Menyelesaikan	Membuat keputusan resmi atau penilaian tentang sengketa.
11.	Adjudication Pengadilan	Proses hukum untuk menyelesaikan sengketa atau memutuskan kasus.
12.	Adoption Adopsi	Proses hukum dimana orang dewasa menjadi orang tua dari seorang anak yang secara biologis bukan anak mereka.

No	Terms	Indonesian Meaning
13.	Adversary Musuh	Pihak yang berseberangan atau berkonflik dengan pihak lain dalam suatu proses hukum, seperti penggugat versus tergugat dalam suatu gugatan.
14.	Adverse Possession Penguasaan Buruk	Menguasai kepemilikan properti dengan mendudukinya tanpa izin selama periode waktu.
15.	Advocate Pengacara	Profesional yang mewakili klien dalam masalah hukum.
16.	Affidavit Sumpah Pernyataan	Pernyataan tertulis yang dikonfirmasi dengan sumpah atau pernyataan.
17.	Affidavit of Service Surat Pernyataan Pelayanan	Pernyataan bersumpah yang mengonfirmasi bahwa dokumen hukum telah disampaikan.
18.	Affidavit Pernyataan Sumpah	Pernyataan tertulis yang dibuat di bawah sumpah, digunakan sebagai bukti di pengadilan.
19.	Affidavit Surat Pernyataan	Pernyataan tertulis yang dikonfirmasi dengan sumpah atau pernyataan, digunakan sebagai bukti.
20.	Affirmation Afirmasi	Pernyataan khidmat yang dibuat sebagai pengganti sumpah.
21.	Agreement Perjanjian	Kesepakatan bersama antara pihak-pihak mengenai hak dan kewajiban mereka.
22.	Alibi Alibi	Bukti bahwa seseorang berada di tempat lain ketika kejahatan terjadi.
23.	Alimony Alimentasi	Dukungan finansial yang dibayarkan oleh satu pasangan kepada pasangan lainnya selama

UNIT 1 | LAW AND CONCEPT OF LAW

Competencies: Understanding and familiarizing students with law and the concept of law

A. Definition of Law

Law is a set of rules or norms created and recognized by a society or country to regulate the behavior of its members. The law creates order, and justice and protects individual rights. Law is a system of rules created and enforced by social or governmental institutions to regulate behavior. It establishes standards, procedures, and penalties to maintain order, resolve disputes, and protect individual rights. Law has many aspects and has a very broad scope because law exists to regulate all areas of society's life (Aprita, 2024).

Law is a regulation created to regulate human behavior. Law is a total of rules and principles that regulate order which includes institutions and processes to realize the enactment of these rules as a reality in society (Lesmana, 2024). Law is something closely related to human life and refers to a system that the most important thing is in the implementation of a series of law enforcement powers by law enforcement institutions because all human life is limited by law. Laws were created to regulate human life in society (Angrayni, 2015). Indonesia is a country of laws. Living in a community or school environment cannot be separated from the applicable rules, both written and unwritten rules. These rules must be obeyed completely. The

UNIT

2

LEGAL ENGLISH

Competencies: Understanding and familiarizing students with legal english

A. Legal English

In the field of ESP, Legal English (LE), is often referred to as English for Law (Supardi, 2016). Like other specialized English for Specific Purposes (ESPs), Legal English has a significant number of specialized terms that English as a Foreign Language (EFL) learners must master. Without a sufficient vocabulary in LE, learners will struggle to effectively use English in legal contexts for reading, writing, listening, and speaking.

Legal English provides a comprehensive and highly practical approach to its subject matter and addresses the key aspects of the use of English in commercial legal contexts (Haigh, 2009). Legal English, or legal English, has several characteristics that differentiate it from general English and English in other fields. Following are some of the main characteristics of Legal English:

1. **Formal and Technical Language:** Legal English often uses very formal and technical language. Legal terms, technical phrases, and complex sentence structures are common. It is designed to ensure clarity, accuracy, and validity in legal documents. The language of legal documents in English Legal language is very different from everyday conversation (Jaya et al., 2022).

UNIT

3

SOURCES OF LAW

Competencies: Understanding and familiarizing students with sources of law

A. Sources of Law

The source of law is the place where legal norms that apply in society originate. These sources can come from constitutions, laws, regulations, customs, and court decisions. Each source of law has an important role in forming the applicable legal framework, and together, these sources regulate various aspects of social life. There are many sources of law in the legal system for various reasons that reflect the complexity and evolving needs of society.

1. Various Aspects and Community Needs. Specific Needs: Society has various needs and interests, so various types of regulations are needed to regulate these aspects well. For example, laws regulate general matters, while regional regulations regulate specific matters relevant to an area.
2. Hierarchy and Order. Legal Hierarchy: Legal systems often have a hierarchy, where higher regulations (such as the constitution) regulate and provide the basis for lower regulations (such as government regulations and regional regulations). This creates a structure that ensures that all regulations are consistent with higher legal principles.

UNIT

4

LEGAL TEXT

Learning Competencies: Understanding and familiarizing students with legal texts

A. Legal Text

A legal text is a text or document that contains legal rules, provisions, and principles that have binding force. Examples include laws, regulations, contracts, court decisions, and other legal documents used to regulate legal relationships between individuals, companies, or countries. Legal texts are usually written in formal and specific language to ensure clarity and accuracy in their application in a legal context. The legal text aims to convey rules, regulations, or rights and obligations that must be obeyed by the parties involved. This may include agreements between individuals or entities, legal provisions governing certain activities, or decisions made in legal proceedings.

B. Characteristics of Legal Text

The characteristics of legal texts include various aspects that ensure that the effective text in a legal context, meets legality standards, minimizes the risk of disputes, and ensures that the document is accepted legally in the legal system. The following are the characteristics of legal text:

UNIT

5

LEGAL DOCUMENT

Learning Competencies: Understanding and familiarizing students with legal documents

A. Legal Document

Legal documents are various types of documents created and used for legal purposes. First, this document functions to document the agreement between the parties involved in a transaction, thereby storing evidence that can be accounted for. In addition, legal documents provide legal certainty by explaining the rights and obligations of each party, thereby reducing the potential for disputes. This document also plays a role in protecting the rights of individuals or entities, ensuring that these rights are not violated by other parties. In cases of dispute, legal documents can be used as evidence in court. Additionally, this document sets out the processes that must be followed in certain situations, such as employment agreements or rental contracts, and ensures that all transactions or actions comply with applicable laws and regulations. Thus, the existence of legal documents provides a sense of security and protection for all parties involved in an agreement or transaction.

Legal documents have legal force and are used to support or prove a statement, right, or obligation. Examples of legal documents include contracts, notarial deeds, powers of attorney, court documents, and agreements. This document usually

UNIT

6

LEGAL PROFESSION (PROFESSIONS-RELATED TO LEGAL/LAW)

Competencies: Understanding and familiarizing students with the legal profession (profession related to law)

A. Vocabulary Professions-Related to Law

No	Profession	Meaning
1.	Corporate Counsel Pengacara Perusahaan	Seorang pengacara yang dipekerjakan oleh suatu perusahaan atau organisasi untuk memberikan nasihat dan representasi hukum mengenai hal-hal yang berkaitan dengan tata kelola perusahaan, kepatuhan, kontrak, dan transaksi bisnis.
2.	Government Lawyer Pengacara pemerintah	Seorang pengacara yang dipekerjakan oleh lembaga atau departemen pemerintah untuk memberikan nasihat hukum, merancang undang-undang, menangani masalah peraturan, atau mewakili pemerintah dalam proses hukum.
3.	Human Rights Advocate Penganjur hak asasi manusia	Seorang profesional yang berdedikasi untuk mempromosikan dan melindungi hak asasi manusia melalui advokasi hukum, penelitian, analisis kebijakan, dan pendidikan publik, sering kali

UNIT 7 | LEGAL ETHICS

Competencies: Understanding and familiarizing students with legal ethics in law

A. Legal Ethics

Ethics are principles and ideals related to human desires and behavior, providing valuable examples of proper conduct (Tardjono, 2021). Within ethics, key themes such as conscience, freedom, responsibility, norms, rights, obligations, and virtues are examined and analyzed. In particular, the role of ethics in a profession—such as the legal field—is crucial. Ethics in the legal profession are vital for ensuring fair and just law enforcement. Thus, the professional code of ethics is an essential component of the conduct of legal practitioners, serving as a foundation for equitable law enforcement.

Legal ethics refers to the set of principles and standards that govern the behavior and conduct of legal professionals, including lawyers and judges. These ethical guidelines are designed to ensure that legal practitioners act with integrity, competence, and respect for the law and their clients. The primary goal of legal ethics is to ensure that legal practitioners act with integrity, competence, and respect for the law and their clients.

Legal ethics offer detailed guidelines for lawyers to uphold professionalism, integrity, and proficiency (Xu et al., 2024). Integrity entails being honest and transparent, while

UNIT

8

LEGAL PROCEDURES

Competencies: Understanding and familiarizing students with the procedures and processes involved in legal practice.

A. Legal Procedure

Legal procedure refers to the formal processes and rules that govern how legal matters are handled in a legal system. Legal procedures are a series of steps or stages that must be followed in the legal process to ensure that the law is enforced fairly and follows applicable regulations. These procedures ensure that legal proceedings are conducted fairly, consistently, and following the law. The legal procedures include everything from filing a lawsuit, notifying the parties involved, and gathering evidence, to carrying out court executions. Legal procedures aim to provide a structured and fair framework for all parties involved in the legal process, as well as to ensure that the decisions taken are based on the law and existing facts.

B. Steps of Legal Procedures

The steps in a legal procedure usually include several main stages that must be followed in the legal process such as:

1. Filing a Complaint

This is the first step in the legal process where the party who feels aggrieved (the plaintiff) files an official lawsuit or lawsuit in court. This lawsuit is a document that details the plaintiff's claim against the defendant, including the facts

UNIT 9 | COURT STRUCTURE

Competencies: Understanding and familiarizing students with the hierarchical structure of courts

A. Court Structure

Court structure refers to the organization and hierarchy of the justice system in a country or region. Court structure refers to the composition and organization of judicial institutions, including the division of duties, authority, and hierarchy within them. This structure is important to ensure that the justice system operates effectively, fairly, and following legal principles. This structure usually involves several levels of courts with different functions and jurisdictions. Court structure refers to the hierarchy and organization of court institutions in a justice system. In Indonesia, the court structure is regulated by law and consists of several levels of courts with different functions.

B. Court Structure in Indonesia

The following is a general description of the court structure in Indonesia:

1. Supreme Court (Mahkamah Agung)

The Supreme Court (MA) is the highest in the general justice system in Indonesia. The Supreme Court has the authority of a cassation court, which means it is tasked with hearing cases at the final level after going through the judicial process below. Apart from that, the Supreme Court also

UNIT 10 | COURT PROCEDURES

Competencies: Understanding and familiarizing students with the court procedures/proceedings.

A. Court Procedures

Court procedures are a series of steps or stages that must be followed in the legal process in court. This procedure ensures that the judicial process takes place fairly, transparently, and following applicable law. Court procedures for criminal cases and civil cases have several similarities, but there are also significant differences that reflect the different nature and objectives of each type of case. The following is a comparison of procedures between criminal and civil cases:

Step	Criminal Cases	Civil Cases
1. Filing a Lawsuit or Report Pengajuan Gugatan atau Laporan	Reporting: The victim or informed party reports to the police. Investigation: Police gather evidence to assess the case.	Filing a Lawsuit: The plaintiff files a lawsuit in the District Court with evidence and legal reasons. Case Registration: The court assigns a case number.
2. Case Registration	Registration: After investigation, the	Registration: The lawsuit is registered at the District Court,

UNIT

11

COURT PROCESS

Competencies: Understanding and familiarizing students with the court process

A. Court Process

The following is a detailed explanation of the court process in general:

Stage	Criminal Cases	Civil Cases
1. Filing a Case	Reporting a Crime: Victims or witnesses notify law enforcement about a suspected crime.	Drafting a Complaint: The plaintiff drafts a complaint outlining their grievance and the relief sought.
	Initial Investigation: Police gather preliminary information and evidence to determine if a formal investigation is needed.	Service of Process: The defendant is formally notified of the lawsuit through service of process.
2. Case Registration	Filing with the Court: Prosecutor files charges, and the case	Court Docketing: The lawsuit is entered into the court's docket with a

UNIT

12

CRIMINAL LAW

Competencies: Understanding and familiarizing students with criminal law

A. Criminal Law

Criminal law fundamentally serves to establish the core policies of the state by addressing several key areas (Ruba'i, 2021). First, it defines which actions are prohibited and outlines the corresponding penalties for violations; this aspect is known as the act criminal. Second, it specifies when and under what circumstances individuals who breach these prohibitions may face criminal penalties, a section referred to as the general principles of criminal law, with Book I of the Criminal Code serving as the main reference. Finally, criminal law also details the procedures for prosecuting and adjudicating alleged offenses, a component known as criminal procedural law, which is governed by the Criminal Procedure Law (KUHAP).

Criminal law or criminal law is a branch of law that regulates actions that are considered crimes and the sanctions imposed on violators of this law. Criminal law aims to protect society and maintain public order by establishing prohibitions against behavior that harms or endangers other people, as well as determining punishments for those who violate these rules. Criminal law is the rules that apply and are enforced in a community environment to regulate all kinds of actions that are not following the rules that have been implemented in writing or not written in the endorsement (Mangkeprijanto, 2019).

UNIT

13

CIVIL LAW

Competencies: Understanding and familiarizing students with civil law

A. Civil Law

Civil law is essentially the law that governs and regulates interests between one individual citizen and another individual citizen (Tutik, 2015). In contrast to criminal law which regulates violations of the law that can be subject to criminal sanctions, civil law focuses more on resolving disputes involving the rights and obligations between private parties. Every legal relationship is civil, involving two or more people who have roles as a legal subject (Martini & Hamid, 2023). So, civil law is rules that govern how individuals interact with each other in society and family. There are regulations regarding rights and obligations, as well as methods of dispute resolution in court. According to Aprita (2024), the systematics of civil law according to science, there are 4 (four) parts, namely:

1. Individual or private body law (personenrecht), contains regulations legal rules governing a human being as a supporter of rights and obligations (legal subjects), regarding age, the ability to carry out legal acts and things that require influence these skills, place of residence (domicile) and so on.
2. Family law (familierecht), contains legal regulations which regulate legal relations arising from relationships with family/kinship such as marriage, divorce, relationships with

UNIT 14 | ADMINISTRATIVE LAW

Competencies: Understanding and familiarizing students with administrative law

A. Administrative Law

Administrative Law is a branch of law that regulates the workings of state administrative bodies in carrying out their power and authority. These laws focus on the relationship between the government and individuals or private entities, including how administrative decisions are taken and implemented, as well as how individuals or entities can challenge those decisions.

Administrative law covers various aspects related to the organization and management of government. One of them is the regulation of government structure and functions, which determines how government institutions operate and are responsible. Apart from that, this law also regulates the creation and implementation of public policy, which includes the process of policy-making and its implementation by the government. On the other hand, administrative law also plays a role in licensing and supervision, by regulating procedures for granting permits, such as business and environmental permits, as well as monitoring the implementation of these permits. This law also handles dispute resolution between citizens and the government, including appeal and lawsuit mechanisms. Administrative responsibility is another important focus, setting ethical standards and responsibilities for public officials in carrying out

UNIT 15 | CONSTITUTIONAL LAW

Competencies: Understanding and familiarizing students with constitutional law

A. Constitutional Law

Constitutional law is a branch of law that regulates the structure, powers, and functions of government institutions as well as the basic rights and obligations of individuals in a country. This law establishes the basic principles that form the basis of the legal system and government in a country. Constitutional law regulates and determines the basic principles of the state, government structure, and division of powers, as well as the fundamental rights and obligations of citizens as regulated in the constitution or basic law. Cases in constitutional law often involve fundamental rights, the authority of government institutions, and the basic principles governing the structure and function of the state. Understanding these cases is important to ensure that constitutional rights are respected and fulfilled following constitutional provisions.

B. Principles of Constitutional Law

There some principles of constitutional law as follow:

1. **Supremacy of the Constitution:** This principle asserts that the Constitution is the supreme law of the land. All laws and government actions must be in line with constitutional provisions. If there are conflicting laws, then the law is considered invalid.

UNIT

16

FAMILY LAW

Competencies: Understanding and familiarizing students with family law

A. Family Law

Family Law is a branch of law that regulates legal relationships between family members, including issues that arise in the context of marriage, divorce, child custody, and various other issues related to the family. Family law covers various aspects related to the rights and obligations of family members as well as resolving disputes that may arise in the family context. Family law aims to regulate, protect, and resolve disputes in the context of family relationships, with a focus on individual rights and family welfare. This law also establishes rules regarding the rights and responsibilities of family members towards each other, as well as methods for resolving disputes that may arise in family relationships. Family law covers various aspects relating to the relationships between family members and legal issues that arise in that context. Cases in family law often involve very personal issues and require careful handling.

B. Principles in Family Law

There are some principles of family law as follows:

1. Child welfare. This principle emphasizes that the interests and welfare of children must be the main priority in every decision taken in the context of family law. This includes

UNIT

17

PROPERTY LAW

Competencies: Understanding and familiarizing students with property law

A. Property Law

Property Law is a branch of law that regulates rights and ownership of various types of property, both physical and non-physical property. This law covers everything related to the ownership, use, and transfer of property. This regulates the rights to ownership and use of goods and rights, including how these goods can be transferred or assigned. These laws cover various types of property, such as physical property, which includes land, houses, and vehicles, as well as intangible property, such as copyrights, patents, and trademarks. In addition, property law also establishes obligations and rights regarding the use, maintenance, and transfer of property, governing how individuals and entities can manage and transfer ownership of such items and rights. Property law covers a wide range of legal issues related to the ownership, use, and transfer of property.

B. Principles in Property Law

There are principles in property law as follows:

1. **Ownership rights.** This refers to the rights of individuals or entities to own, use, and control property. Ownership rights include the exclusive right to control and utilize the property as well as the right to transfer or sell it.

UNIT

18

REAL ESTATE LAW

Competencies: Understanding and familiarizing students with real estate law

A. Real Estate Law

Real estate law is a branch of law that regulates various aspects related to the ownership, use, sale, and development of property, both residential and commercial. This law covers purchase, sale, rental, and transfer of land and building ownership transactions. Apart from that, real estate law also regulates legal issues related to mortgages, leases, zoning, property rights, and property disputes.

In real estate law, the rights and obligations of property owners, tenants, developers, and other parties involved in transactions or use of property are regulated. The main goal is to ensure that transactions and use of property are carried out legally and fairly, as well as providing legal protection to all parties involved. Some of the matters regulated in this law include buying and selling property, regulating the relationship between owners and tenants, and developing new properties which include permits and zoning regulations, as well as mortgages and property financing. Property disputes such as land boundaries and lease violations are also resolved through mechanisms regulated in this law. Thus, real estate law plays an important role in maintaining legal clarity and certainty in property transactions, as well as protecting the rights of all parties involved in the ownership and use of property.

UNIT

19

CONTRACT LAW

Competencies: Understanding and familiarizing students with contract law

A. Contract Law

Contract law is a branch of law that regulates agreements between two or more parties. In contract law, a “case” refers to a specific situation or dispute that involves the application of contract law principles to resolve a problem, so the cases are related to situations where there is a dispute between the parties involved in a contractual agreement. These cases typically involve one or more of the basic elements of contract law in question, such as offer, acceptance, consideration, capacity, legal intent, or validity. The court will then assess the facts of the case and apply contract law to decide how the contract should be enforced or repaired. Contract law ensures that the promises made in a contract are adhered to and provides a resolution mechanism if a party does not fulfill its obligations. Some elements in contract law include:

1. Offer and acceptance. Offer is the act of one party (the offerer) proposing certain terms for a contract to another party (the recipient) acceptance refers to the receiving party must agree to the offer clearly and unequivocally.
2. Considerations. Consideration refers to something of value exchanged between parties to a contract. This can be money, goods, services, or rights. In essence, each party must give

UNIT

20

TORT LAW

Competencies: Understanding and familiarizing students with tort law

A. Tort Law (Hukum Delik)

Tort Law is a branch of law that regulates the responsibility of a person or entity for loss or damage caused by their actions or omissions that violate the rights of others. The main goal is to provide compensation to the injured party and to prevent behavior that harms others. Tort law regulates the responsibility of a person or entity for loss or damage caused by their actions or omissions that violate the rights of others. This law also provides compensation to the injured party and avoids behavior that harms other people.

The goals of tort law are to provide compensation, deterrence, and justice. Compensation aims to provide compensation to the injured party, with the hope of restoring their position to the state before the loss occurred. In addition, prevention functions to avoid harmful behavior by providing incentives for individuals to act carefully and responsibly. Lastly, justice ensures that people who are harmed get legal protection and justice for the losses they experience.

UNIT 21 | COMMERCIAL LAW

Competencies: Understanding and familiarizing students with commercial law

A. Commercial Law

Commercial law or trade law is a branch of law that regulates business transactions and activities. It covers various aspects related to trade, business contracts, financial transactions, and corporate law. This law covers various areas, such as contracts, buying and selling, and other business practices. In commercial law, various types of cases can occur which include business transactions, contractual agreements, bankruptcy, and others. The main objective of commercial law is to provide a legal framework that facilitates efficient, fair, and orderly business transactions.

B. Principles of Commercial Law

There are main principles in contract law are as follows:

1. Agreement. To form a valid contract, there must be agreement between the parties involved. This agreement consists of two main elements: offer and acceptance. An offer is a proposal to enter into a contract, while an acceptance is an agreement to the offer.
2. Consideration. Consideration is the value provided by each party to a contract. This can be money, goods, services, or other rights that have value. Consideration is necessary to make a contract valid and binding.

UNIT

22

BUSINESS LAW

Competencies: Competencies: Understanding and familiarizing students with business law

A. Business Law

Business law or business law is a branch of law that regulates all legal aspects related to business and commercial activities. Business law covers a variety of rules and principles that affect how businesses are conducted, including regulations regarding contracts, bankruptcy, intellectual property rights, and other legal issues related to business operations. These laws also cover various aspects that are important in business operations, including company formation, contracts, intellectual property rights, tax law, and dispute resolution.

B. Principles in Business Law

There are principles of business law, as follows:

1. Freedom of contract. Parties to a business transaction have the freedom to determine the terms and conditions of their contract, as long as it does not violate the law or public policy.
2. Duty of fair dealing. The parties to a business contract must act in good faith and fairness in the performance of the contract. This includes the requirement not to deceive or take advantage of other parties in business transactions.
3. Compliance with the law. All business activities must comply with applicable laws and regulations in the jurisdiction in which the business operates. This includes tax regulations,

UNIT 23 | BANKING AND FINANCE LAW

Competencies: Understanding and familiarizing students with finance and banking law

A. Banking and Finance Law

Banking and Finance Law is a branch of law that regulates activities and operations in the banking and finance sector. These laws include various rules, regulations, and principles that govern how financial institutions operate, as well as their relationships with customers, investors, and other parties. These also regulates various aspects of the banking and financial sector. Another important aspect is the regulation of customer rights and obligations, which includes the protection of personal information and the right to obtain clear information about financial products and services, as well as protection against fraud and unfair business practices.

The law maintains the stability of the financial system, protect consumers, and ensure transparency and fairness in financial transactions. In addition, this law regulates risk management in financial institutions to prevent financial crises by establishing policies regarding capital reserves, liquidity and deposit insurance systems.

UNIT

24

TAX LAW

Competencies: Understanding and familiarizing students with tax law

A. Tax Law

Tax Law is a branch of law that regulates the tax obligations of individuals, companies, and other entities towards the state. These laws include various rules and regulations that govern how taxes are imposed, reported, and paid. The main objective is to ensure that tax obligations are met fairly and following applicable laws. Tax law encompasses various aspects, including the imposition of taxes, tax collection, tax avoidance, and tax disputes. Tax law determines the types of taxes that must be paid, such as income tax, value-added tax (VAT), and property tax.

The law outlines who is liable for taxes, including individuals, corporations, and institutions, each with different rights and obligations. Additionally, tax law governs how taxes are calculated, including applicable rates and potential deductions or exemptions that taxpayers may receive. The law further details the procedures for tax collection by authorities, including reporting and payment requirements. It includes penalties for non-compliance, such as fines and legal actions against taxpayers who fail to meet their obligations. Lastly, tax law provides mechanisms for resolving disputes between taxpayers and tax authorities, including appeal processes and litigation.

UNIT

25

INSURANCE LAW

Competencies: Understanding and familiarizing students with insurance law

A. Insurance Law

Insurance law is the branch of law that regulates insurance contracts and the rights and obligations arising from these agreements. These laws cover various types of insurance and related issues that are relevant to the insurance industry such as insurance industry, including basic principles, regulations, and administration regarding insurance policies, claims, and disputes. Insurance law is critical to ensuring that the insurance system functions fairly and efficiently, both for insurance companies and for consumers. It helps protect the rights of insureds, regulates insurance company obligations, and provides a mechanism for resolving disputes. With clear regulations and solid legal principles, insurance law contributes to stability and trust in the insurance industry.

B. Principles of Insurance Law

There are some principles of insurance law, as follows:

1. Utmost good faith. Both parties to an insurance contract – the insured and the insurer – must disclose all relevant information honestly and completely.
2. Insurable interest. The insured must have a legitimate financial interest in the insured item, meaning they will suffer a financial loss if the item is damaged or lost.

UNIT

26

RELIGIOUS LAW (ISLAMIC LAW/ SHARIA)

Competencies: Understanding and familiarizing students with religious law (Islamic Law/Sharia)

A. Religious Law (Islamic Law/Sharia)

Religious Law, specifically Islamic Law (Sharia), is a legal system derived from the teachings and principles of Islam, encompassing spiritual, moral, and social aspects of Muslim life. This law covers a wide range, including religious practices, family law, criminal law, and civil law. Its purpose is to provide moral and ethical guidelines for Muslims and regulate the relationship between individuals and God, as well as between individuals. Islamic Law, or Sharia, is based on the teachings of Islam found in the Quran (the holy book of Islam) and Hadith (sayings and actions of the Prophet Muhammad). Sharia encompasses various aspects of life, from religious practices to social and criminal regulations. It aims to provide moral and ethical guidance for Muslims and regulate their interactions with God and each other.

B. Principles Religious Law (Islamic Law/Sharia)

There are principles of religious law (Islamic/sharia law):

1. Tawhid (Monotheism). Tawhid is the principle of the oneness of Allah. It asserts that Allah is the sole deity, and all laws and practices are grounded in the belief that there is no god but Allah. This principle emphasizes that all aspects of life,

UNIT

27

CUSTOMARY LAW

Competencies: Understanding and familiarizing students with customary law

A. Customary Law

Customary Law is a legal system based on customs and traditions that apply in a particular community or society. In contrast to law that is codified in formal legislation, customary law is unwritten and is applied based on customs and practices that have existed for many years. Customary law regulates various aspects of community life, including inheritance, marriage, land ownership rights, and dispute resolution. This legal system regulates various aspects of people's lives, including inheritance, marriage, land ownership rights, and dispute resolution. A distinctive feature of customary law is that it is rooted in local traditions and customs, is applied within the community that practices it, and is often regulated by local leaders or elders. Customary law is also known for its flexibility, allowing adaptation to social change, as well as a consensus and mediation approach to dispute resolution, different from formal court processes. In many countries, customary law operates alongside formal legal systems and is recognized as long as it does not conflict with national or international law.

UNIT 28 | ENVIRONMENTAL LAW

Competencies: Understanding and familiarizing students with environmental law.

A. Environmental Law

Environmental Law is a field of law that regulates the relationship between humans and their environment. The main goal is to protect the environment and ensure that human activities do not damage ecosystems and natural resources, as well as to manage the environmental impacts of industrial, agricultural and development activities. Environmental law encompasses the regulations, policies, and statutes that govern how humans interact with the natural environment. It aims to protect the environment from harm caused by human activities and to ensure sustainable use of natural resources.

B. Principles in Environmental Law

The principles of environmental law, are as follows:

1. Precautionary: if there is a threat of serious or irreversible damage to the environment, precautionary measures must be taken even if there is scientific uncertainty regarding the impact. This means that if there is a significant risk, precautions should be taken before harm occurs, even if the scientific evidence is not completely complete.

UNIT 29 | CULTURAL PROPERTY LAW

Competencies: Understanding and familiarizing students with cultural heritage law

A. Cultural Heritage Law

Cultural Heritage Law is a branch of law that regulates the protection, preservation and management of the cultural heritage of a country or community. This law covers various aspects related to sites, objects, traditions and cultural practices that have significant historical, artistic, archaeological or ethnographic value. This ensures that important cultural heritage can be preserved for future generations, as well as protecting it from damage or loss due to construction, theft or other damage.

Cultural Heritage Law covers the protection of cultural sites and objects, regulation of restoration and conservation, regulation of archaeological excavations and discoveries, protection against theft and illicit trade, as well as education and public awareness about the importance of cultural heritage. In addition, this law also involves the implementation of international regulations such as the UNESCO Convention on the Protection of World Heritage and the Convention on the Prevention and Return of Stolen Cultural Property. Thus, the Cultural Heritage Law aims to maintain cultural diversity and protect cultural heritage which is an important part of human identity and history.

UNIT

30

CYBER LAW

Competencies: Understanding and familiarizing students with cyber law

A. Cyberlaw

Cyberlaw, or cyber law, is a branch of law that regulates various issues related to the use of information technology and the internet. This law covers various important aspects, including privacy and personal data protection, which regulates how personal information is collected, stored and used, and protects data from unauthorized access. Apart from that, cyberlaw also handles cyber security by establishing regulations to protect computer systems, networks and data from threats such as hacking and cyber attacks. These laws cover cybercrime, such as hacking and identity theft, as well as intellectual property rights that protect digital works from copyright infringement and piracy.

Cyberlaw also regulates electronic contracts, including the validity and implementation of online transactions, as well as e-commerce regulations which cover rights and obligations in electronic commerce. Another aspect of cyber law involves content liability, determining online platforms' responsibilities for user-posted content, as well as internet and telecommunications regulations governing service providers and network neutrality. Thus, cyberlaw plays an important role in creating an adequate legal framework to face challenges and

UNIT

31

CHARITY LAW

Competencies: Understanding and familiarizing students with charity law

A. Charity Law

Charity Law is a branch of law that regulates charitable activities, non-profit organizations, and philanthropic institutions. Charity Law refers to a set of legal regulations and principles that govern various charitable activities and non-profit organizations. This law covers various aspects related to the establishment, management and supervision of charitable institutions and the use of their funds. This laws govern the establishment, operation, and reporting of charities, as well as the protection of donations and the rights of beneficiaries.

The Charity Law regulates various important aspects in the establishment and management of charitable institutions. The process of establishing and registering a charitable institution involves recognizing charitable status under certain criteria. In addition, this law determines the responsibilities of administrators in management, including regulations related to financial reports, transparency, and audits. The use of funds and assets is also regulated to ensure that all resources are used following charitable purposes and prohibit personal interests. To maintain the integrity of charities, these laws prevent fraud and provide reporting mechanisms. In addition, the rights of beneficiaries are protected by a fair dispute resolution

UNIT

32

SOCIAL WELFARE LAW

Competencies: Understanding and familiarizing students with social welfare law

A. Social Welfare Law

Social Welfare Law refers to the law that regulates the social welfare system, which aims to provide support to individuals and groups in need of social assistance and various social programs and policies. This law is important because it serves to ensure that all members of society have access to the support and services needed to live decently and reach their full potential.

Social Welfare Law encompasses several key areas aimed at supporting individuals and families. It includes Social Security Programs, such as pension, disability, and unemployment benefits, designed to assist those facing economic hardship. Additionally, the law regulates Health and Care, ensuring access to health services, including health insurance and public healthcare programs. To enhance opportunities, it promotes Education and Training, facilitating access to education and skill development, particularly for disadvantaged individuals. Moreover, it focuses on Child and Family Protection, safeguarding children's rights and providing support for low-income families and those in crisis. The law also addresses Worker Rights, ensuring fair wages and safe working conditions. Finally, it facilitates Legal Aid and Social Justice, providing access to legal services for those facing issues that

UNIT

33

INTERNATIONAL LAW

Competencies: Understanding and familiarizing students with international law

A. International Law

International Law is the collection of rules, treaties, and legal principles that govern relations between states and other international entities. The aim is to create an orderly and peaceful order in international interactions, as well as providing mechanisms for resolving disputes and protecting globally recognized rights. This law regulates relations between countries and international subjects through various aspects. This includes international treaties, human rights, humanitarian law for protection in armed conflict, as well as maritime law governing waters and resources. International environmental law focuses on environmental protection and natural resource management. Additionally, international criminal law deals with crimes such as genocide and war crimes, while diplomatic law regulates the relations and protection of diplomats. Overall, international law aims to create a peaceful and just world order.

B. Principle of International Law

There are some principles of international law as follows:

1. Sovereign equality. Every state has full sovereignty over its territory and no state should interfere in the internal affairs of another state without permission. This principle includes: a) territorial sovereignty: the right of a state to govern its

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