



<b>University Name</b>	:	<b>HASANUDDIN UNIVERSITY</b>
<b>Faculty Name</b>	:	<b>FACULTY OF LAW</b>
<b>Department Name</b>	:	<b>BASIC LAW</b>
<b>Study Program Name</b>	:	<b>UNDERGRADUATE LEGAL STUDIES</b>

**SEMESTER LEARNING PLAN (SLP)**

<b>COURSE</b>	<b>COURSE CODE</b>	<b>SKS</b>	<b>Status</b>	<b>Department</b>	<b>SM</b>
<b>INTRODUCTION TO LEGAL SCIENCE</b>	<b>101B1114</b>	<b>4</b>	<b>COMPULSORY (NATIONAL)</b>	<b>BASIC LAW</b>	<b>I</b>
<b>AUTHORIZATION</b>	<b>Lecturer</b>		<b>Vice Dean of Academic and Development</b>		
	<b>Signature</b>		<b>Signature</b>		
	<b>Prof. Dr. Irwansyah, S.H., M.H.</b>		<b>Prof. Dr. Ahmadi Miru, SH, MH</b>		

**CPL-PRODI KEWAJIBAN MATAKULIAH**

<b>S1</b>	<b>Having integrity and legal professional ethics based on values of Pancasila</b>
<b>KU1</b>	<b>Ability to think critically, logically and systematically</b>
<b>KU3</b>	<b>Ability to work individually and collectively</b>
<b>KK1</b>	<b>Ability to conduct legal research to construct legal arguments</b>
<b>P2</b>	<b>Demonstrate a basic understanding of basic laws</b>

## SHORT DESCRIPTION OF THE COURSE

**This course provides a fundamental and comprehensive understanding of legal studies in its position as: (1) study of norms, (2) study of basic definition of law, (3) study of reality in society. Includes the definition of law, the approach used in delving into legal studies, the purpose of law, the function of law, the sources of law, the principles of law, various legal systems, awareness and obedience to law, school of thought in law, the judicial system, correlation between (1) law and power, (2) law and rights, and (3) law and justice, the discovery of the law, the hearing of law.**

### **BAHAN BACAAN UTAMA:**

- Achmad Ali, 2009, **Menguak Teori Hukum (legal theory) & Teori Peradilan (Jurisprudence)**, Prenada Media Group, Jakarta
- , 2008, **Menguak Tabir Hukum (Edisi II)**, Ghalia Indonesia, Jakarta
- Bernard Arief Sidharta, 2009, **Refleksi Tentang Struktur Ilmu Hukum**, CV. Mandar Maju, Bandung
- Bruggink, 1999, **Refleksi Tentang Hukum**, PT. Citra Aditya Bhakti, Bandung
- E. Utrecht & Moh. Saleh Djindang, 1989, **Pengantar Dalam Hukum Indonesia**, Cet XI, Sinar Harapan Jakarta
- L.J. van Apeldoorn, **Pengantar Ilmu Hukum (Terjemahan)**, 2005, Pradnya Paramita, Jakarta
- Peter Mahmud Marzuki, 2015, **Pengantar Ilmu Hukum**, Prenamedia Group, Jakarta
- Satjipto Rahardjo, 2006, **Ilmu Hukum**, PT. Citra Aditya Bakti, Bandung
- Sudikno Mertokusumo, 2003, **Mengenai Hukum: Suatu Pengantar**, Liberty, Jogjakarta
- Mochtar Kusumaatmadja & Arief Sidharta, 1999, **Pengantar Ilmu Hukum: Suatu Pengenalan Pertama Ruang Lingkup Berlakunya Ilmu Hukum**, Alumni, Bandung

MEETING NUMBER	EXPECTED FINAL ABILITY / LEARNING GOAL	INDICATOR / ASSESMENT CRITERIA	LEARNING METHODS	LEARNING MATERIAL	WEIGHT (%)
1	2	3	4	5	6
Week I Meeting 1	<b>Students knows</b> Course Specification of the course, book and reference introduction, course contract	<b>Active</b>	Interactive lecture	<b>Introduction:</b> 1. Explanation of Course Specification of the course 2. Introduction to book and reference 3. Course contract 4. Formation of class organization and group allocation	5
Week I Meeting 2	<b>Students are able to explain</b> 1. Terms and definition: 2. <b>Legal Studies:</b> Rechtswetenschap (Netherlands), Rechtswissenschaft (Germany), and Jurisprudence (England) 3. <b>Law:</b> Syariah (Arab), England (Law, Lex), Latin (Ius), France (Droit, Loi), Belanda (Recht, Wet), Germany (Recht, Gezets). 4. Positive Law and Living Law 5. History of the Development of Introduction to Legal Studies 6. Scope of legal studies: 7. Normwissenschaft/Sollenwissenschaft: study of rules 8. Begriffenwissenschaft: study of	<b>Active</b> <b>Mastery of the subject</b> <b>Assignments</b>	Interactive lecture Response Discussion Individual assignment presentation	<b>Introduction:</b> 15. Term and definition: 16. <b>Legal studies:</b> Rechtswetenschap (Dutch), Rechtswissenschaft (German), dan Jurisprudence (English) 17. <b>Law:</b> Syariah (Arab), Inggris (Law, Lex), Latin (Ius), France (Droit, Loi), Dutch (Recht, Wet), German (Recht, Gezets). 18. Positive Law and Living Law 19. Evolution history of Introduction of Legal	10

	<p>basic definitions of law (such as law subject, law object, etc.)</p> <p>9. Seinwissenschaft/Tatsachenwissenschaft: study of the reality of law (Sociology of Law, Legal Psychology, Criminology, etc.)</p> <p>10. Law as study based: object(<b>ontology</b>), Method (<b>epistemology</b>), and values of certainty, benefits, justice (<b>axiology</b>)</p> <p>11. Legal studies object: norms and behavior</p> <p>12. Defining the law</p> <p>13. Difficulty in defining</p> <p>14. Types of definitions of law</p>			<p>studies course</p> <p>20. Scope of Legal studies</p> <p>21. Normwissenschaft/Sollenwissenschaft: study of rule</p> <p>22. Begriffenwissenschaft: study of basic definitions of law (such as law subject, law object, etc.)</p> <p>23. Seinwissenschaft/Tatsachenwissenschaft: study of law truth (Sociology of Law, Legal Psychology, Criminology, etc.)</p> <p>24. Law as study based: object(<b>ontology</b>), Method (<b>epistemology</b>), and values of certainty, benefits, justice (<b>axiology</b>)</p> <p>25. Legal studies object: norms and behavior</p> <p>26. Defining the law</p> <p>27. Difficulty in defining</p> <p>28. Types of definitions of law</p>	
<p>Week 2 Meeting 3</p>	<p><b>Students are able to explain the approaches in legal studies</b></p>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p>	<p><b>Approaches in legal studies(requirement of making Lawa science):</b></p> <p>1. Classic, Modern, and Global</p> <p>2. Normative, Sociological,</p>	<p>5</p>

			Individual assignment presentation	and Philosophical	
Week 3 Meeting 5	<b>Students are able to explain and to compare legal studies as norms such as religious norms, decency, and courtesy.</b>	<b>Active</b> <b>Mastery of the subject</b> <b>Assignments</b>	Interactive lecture Response Discussion Individual assignment presentation	<b>Legal studies as norms (Part I)</b> 1. Definition of norm or rule 2. Classification of Norms or Rules 3. Relation, difference, and comparison of law rule with other social rule: religion, decency, and courtesy  <b>NOTE: NEXT LECTURE STUDENTS BRING 2 CONSTITUTIONS AND 1 REGIONAL REGULATION</b>	5
Week 3 Meeting 6	<b>Students are able to explain</b> the law as a social rule, the process of Birth of the Law Rule, the Content of the Law Rule, the Scope of validity, and the enforceability	<b>Active</b> <b>Mastery of the subject</b> <b>Assignments</b>	Interactive lecture Response Discussion Individual assignment presentation	<b>Legal studies as norms (Part II):</b> 1. Law as a social rule 2. The process of Birth of the Rule of Law: (relegitimation process and process that is derived from the highest authority within the	10

				<p>society)</p> <p><b>3.</b> Contents of the Law Rule: Definitions and Examples of Orders, Prohibitions, Permits, and Dispensations (Islamic Law divides 5 kinds of Legal Norms: Mandatory, Sunnah, Mubah, Makruh, and Haram)</p> <p><b>4.</b> The scope of Applicability; Time, Place, Subject, and Material</p> <p><b>5.</b> Validity force: Juridical, Philosophical, and Sociological</p>	
<p>Week 4 Meeting 7</p>	<p><b>Students are able to explain</b> characteristic of the rule of law, the essence of the rule of law, the form of the rule of law, and the deviation of the rule of law</p>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p> <p>Individual assignment presentation</p>	<p><b>Legal studies as norm (Part III):</b></p> <p>1. Characteristic of the rule of law: imperative and facultative</p> <p>2. Essential of the rule of law: Governing and Forcing</p> <p>3. Forms of law rule: written and unwritten</p> <p>4. Deviation of the rule of law: offences and exception (Explanation with Scheme / Chart)</p>	<p>5</p>

Week 4 Meeting 8	Students are able to answer question correctly	<b>Mastery of the subject</b>	<b>Written exam</b>	FIRST EVALUATION	<b>5</b>
Week 5 Meeting 9	<b>Students are able to explain the sources of material and formal law</b>	<b>Active</b> <b>Mastery of the subject</b> <b>Assignments</b>	Interactive lecture  Response  Discussion  Individual assignment presentation	<b>Sources of law</b> <b>1.</b> Definition of sources of law <b>2.</b> Definition of material law source <b>3.</b> Definition of formal law source <b>4.</b> Relation of material law source to formal law source <b>5. Formal law source part I: Constitutional / law</b> a. Definition of formal act (in narrow sense) and material law (in broad sense) b. Validity force: Juridical Formal, Sociological, Philosophical, and Political c. Binding force: since when? d. Portion/substance/structure of constitution e. Characteristic of constitution: General, Abstract, Flexible f. Scope of validity;	10

				<p>Time, Place, Material, and Subject</p> <p>g. Reason for conducting the Constitution: Because of the Dynamics of the Society, Replacing the Old Law, Ratification of International Treaty in constitutional form, Changes from Government Regulation to Constitution, Constitutional Orders, Implementing Constitutional Court Decisions.</p> <p>h. Hierarchy of Laws: TAP MPRS XX/1966, UU 10/2004, UU 12/2011.</p> <p>i. The standing of Constitution in Civil Law &amp; Common Law</p> <p>j. Important principles in Constitution</p> <p>k. Formal and material of the Constitution</p> <p>l. Cancellation of the constitution</p> <p>m. Advantages and</p>	
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				<p>disadvantages of the constitution</p> <p>n. Other things: Codification, Legism, Qanun, Perdasi, Perdusus, Concordance Principles</p> <p><b>NOTE: NEXT LECTURE STUDENTS BRING EXAMPLES OF COURT DECISION</b></p>	
Week 5 Meeting10	<b>Students are able to explain the sources of material and formal law</b>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p> <p>Individual assignment presentation</p>	<p><b>Formal law source Part II:Jurisprudence,</b></p> <ol style="list-style-type: none"> <li>1. Term: Jurisprudentia (LATIN), Jurisprudentie (PRANCIS), Jurisprudenz (JERMAN), Jurisprudence (INGGRIS/COMMON LEGAL SYSTEM)</li> <li>2. Definition of Jurisprudence (regular &amp; fixed)</li> <li>3. Difference in terms of Jurisprudence; between Civil Law (narrow) and Common Law (broad)</li> <li>4. Cause of judge to follow</li> </ol>	5

				<p>jurisprudence: agree, Psychological, and technical.</p> <p>5. Validity force: difference between Civil Law Sytem/<b>The Persuasive force of precedent</b>and Common Legal system/<b>The Binding force of precedent</b></p> <p>6. Binding force: from first level, appeal level, and conclusion</p> <p>7. Section / Content / Structure of Jurisprudence</p> <p>8. Scope of Applicability; Time, Place, Material, and Subject</p> <p>9. ypes of Justice: General, Special, Adhoc, Ethics / Profession.</p> <p>10. Hierarchy and Judicial Structure.</p> <p>11. Jurisprudence position in Civil Law &amp; Common Law</p> <p>12. Important Principles In Jurisprudence:</p> <p>13. Pros &amp; Cons of Jurisprudence</p> <p>14. Other matters: Appeal definition, Cassation, PK,</p>	
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				Dissenting Opinion, Justicecollaborator, whistleblower, Adhoc Judge, Misguided Court, traiding influence	
Week 6 Meeting11	<b>Students are able to explain the sources of substantive and formal law</b>	<b>Active</b> <b>Mastery of the subject</b> <b>Assignments</b>	Interactive lecture  Response  Discussion  Individual assignment presentation	<b>Formal law sources part III;</b> 1. <b>Custom</b> a. Definition of custom and tradition b. Customary law c. Fulfill criteria of Customary Law: intellectual, obligation, penalties d. Conflict between custom and law (in terms of forcing and managing) e. Custom with court decision 2. <b>Treaty</b> a. Definition of treaty b. Treaties as International Law Sources c. Types of treaty 3. <b>Doctrine</b> a. Definition of doctrine b. Doctrine As Sources of Law and Doctrine as Positive Law 4. <b>Religious Law (Islam):</b>	5

				<p>a. Definition</p> <p>b. Difference of Source of Law (Islam) with Source of Law in General</p>	
Week 6 Meeting12	<b>Students are able to explain and distinguish various Legal Objectives:</b>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p> <p>Case study</p> <p>Individual assignment: Creating Examples of Legal Objectives</p>	<p><b>LEGAL OBJECTIVES:</b></p> <ol style="list-style-type: none"> <li>1. Status of legal objectives to legal function</li> <li>2. Theory of legal objective barat</li> <li>3. Theory of eastern legal objective</li> <li>4. theory of Islamic Law objectives</li> <li>5. Conventional doctrine: Ethical, Utility, and Formal Juridical</li> <li>6. Modern Doctrine: Standard Priorities and Casuistry Priorities</li> <li>7. Gustav Radbruch view</li> </ol>	5
Week 7 Meeting13	<b>Students are able to analyze and distinguish various Legal functions</b>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Quiz about legal objective</p> <p>Discussion</p> <p>Case study</p>	<p><b>LAW FUNCTION (Part I):</b></p> <ol style="list-style-type: none"> <li>1. Understanding of Passive Functions (Reactive) and Active Functions</li> <li>2. As a Tool of Social Control</li> <li>3. As a Symbol</li> <li>4. As a political tools</li> </ol>	5
	<b>Students are able to analyze and distinguish various legal function</b>	<b>Active</b>	Interactive lecture	<p><b>LAW FUNCTION (Part II):</b></p> <ol style="list-style-type: none"> <li>1. As an Integrity</li> </ol>	5

		<b>Mastery of the subject</b>  <b>Assignments</b>	Response  Discussion  Case study  Individual assignment: Creating a Legal Functional Example	Mechanism 2. as A Tool of Social Engineering: Through the means of legislation and court decision 3. W. Friedman's view of the Legal Function	
Week 8 Meeting 15	<b>Students are able to analyze and distinguish each of the legal system</b>	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion  Case study  Assignment Presentation	<b>Legal System (Component) and Comparison of the Legal System (Part I):</b> Definition and elements of Legal System 1. Definition of Codification, Legal Unification, Legal Pluralism 2. Civil Legal system discussion	5
<b>Week 8 Meeting16 13.10.2017</b>	<b>Answering the question correctly</b>	<b>Mastery of the subject</b>	<b>Written exam</b>	<b>2<sup>nd</sup>Evaluation</b>	<b>5</b>
Week 9 Meeting 17	<b>Students are able to analyze and distinguish each of the legal system</b>	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion	<b>Other Legal Systems: Comparative Legal Systems (Part II):</b> 1. Common Legal system 2. Islamic Legal System 3. Socialist Legal System	5

			Case study  Individual assignment: Making Difference between Civil Legal system and Common Legal system		
Week 9 Meeting 18	<b>Students are able to describe the basic definition of jurisprudence</b>	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Quiz about examples of law events  Response  Discussion  Case study  Assignment	<b>Legal studies as a a study of Understanding (Basic definition in Legal Science) Part I</b>  1. Definition of legal subjects: human and legal corporation 2. Definition of legal objects 3. Definition of legal events 4. Definition of legal relations 5. definition of legal action 6. definition of legal consequence 7. definition of action against the law	10
Week 10 Meeting 19	<b>Students are able to describe the basic definition of jurisprudence</b>	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion	<b>Legal studies as a a study of Understanding (Basic definition in Legal Science) Part II</b>  8. Definition of law subjects: human and legal corporation 9. Definition of law subjects:	

				<p>human and legal corporation</p> <p>10. Definition of law objects</p> <p>11. Definition of law events</p> <p>12. Definition of law relations</p> <p>13. definition of legal action</p> <p>14. definition of law consequence</p> <p>15. definition of action against the law</p>	
Week 10 Meeting 20	<b>Students are able to describe and apply the Legal Principle in cases</b>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p> <p>Individual assignment: creating 25 examples of legal principles</p>	<p><b>Legal principles:</b></p> <p>1. Definition of Legal principles</p> <p>2. Position &amp; Function of Legal Principle</p> <p>3. Agglomeration of law principles</p> <p>4. Differences of Legal principles with Legal Norms</p>	5
Week 11 Meeting 21	<b>Students are able to describe and apply with example in certain cases of obedience to the law</b>	<p><b>Active</b></p> <p><b>Mastery of the subject</b></p> <p><b>Assignments</b></p>	<p>Interactive lecture</p> <p>Response</p> <p>Discussion</p> <p>Case study</p> <p>Assignment presentation</p>	<p><b>Basic obedience to the law (part I)</b></p> <p>1. Theory of God Sovereignty</p> <p>2. Theory of People Sovereignty</p> <p>3. Theory of State Soeverignty</p> <p>4. Theory of Law Sovereignty</p>	10

Week 11 Meeting 22	Students are able to describe with examples the schools of thought in legal studies and compiling the differences	Active  Mastery of the subject  Assignments	Interactive lecture  Response  Discussion  Case study  Individual assignment: Creating differences between 3 types of schools of thought of jurisprudence	<b>Basic obedience to the law (part II):schools of thought in Legal studies</b> 1. Natural Law ideology 2. Legal Positivism: Pure Law & Nalitical Law 3. Legal historism 4. Law Utilitarianism 5. <i>Sosiological Jurisprudence</i> 6. Legal Realism( <i>Practical Legal Realism</i> ) 7. <i>Critical Legal Studies Movement</i> 8. Legal feminism 9. Economic law ideology 10. Trigular Concept of Legal Pluralism	
Week 12 Meeting23	Students are able to explain with examples the classification of law	Active  Mastery of the subject  Assignments	Interactive lecture  Response  Discussion  Case study  Assignment presentation	<b>Classification of Law:</b> 1. By source 2. By form 3. By entry place 4. By entry time 5. By way of maintaining 6. By the character 7. By its shape 8. By the substance	5
Week 12 Meeting24	Students are able to answer questions correctly	Mastery of the	Written exam	3 <sup>rd</sup> evaluation	5



		subject			
Week 13 Meeting 25	<b>Students are able to describe the definition and various types of legal discovery</b>	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion  Case study  Assignment presentation	<b>LAW FINDING BY JUDGE:</b> <b>1.</b> When law finding is needed <b>2.</b> Stages of Judge duty & law finding <b>3.</b> Definition and Types of Interpretation of Law	10
Week 13 Meeting 26	Students are able to describe with case examples the types of legal constructions	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion  Case study assignment presentation	<b>LEGAL CONSTRUCTION</b> <b>1.</b> Argumentum A Contrario <b>2.</b> Argumentum Per Analogian <b>3.</b> Legal fiction	5
Week 14 Meeting27	Students are able to describe and to relate the judicial system with the establishment of law	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion  Case study  Presentation	<b>The Justice System and the Formation of Law (Schools of Thought on the Relation of Judges and Laws):</b>  <b>1.</b> Judicial power: The structure and scope <b>2.</b> Legal ideology	5

				<ul style="list-style-type: none"> <li>3. Begriffsjurisprudenz ideology</li> <li>4. Interessenjurisprudenz ideology</li> <li>5. Soziologische Rechtsschule ideology</li> <li>6. Open legal system ideology</li> <li>7. Formation of Law according to Common Legal system</li> <li>8. Formation of law according to Civil Legal system</li> </ul>	
Week 14 Meeting28	<b>Students are able to analyze with examples of definition and types of justice</b>	<b>Active</b>  <b>Mastery of the subject</b>	Interactive lecture  Response  Discussion  Case study  Presentation	<b>Law and justice: Definition and types of justice</b>	5
Week 15 Meeting29	Students are able to distinguish between other disciplines as an object of legal studies	<b>Active</b>  <b>Mastery of the subject</b>  <b>Assignments</b>	Interactive lecture  Response  Discussion	<b>Tatsachenwissenschaft/Seinwissenschaft:</b> Legal studies as study about the reality in law (Classification of Other Study Disciplines that uses Law as	5

		<b>Case study</b>	Case study Presentation	an object of study): 1. Sociology of Law 2. Political Law 3. Legal Anthropology 4. Legal Psychology 5. Criminology 6. Forensic 7. Comparative Law 8. History of law 9. Legal Economics	
Week 16 Meeting31	<b>Students are able to answer the questions correctly</b>	<b>Mastery of the subject</b>	<b>Written exam</b>	<b>4<sup>th</sup> evaluation Final Test</b>	<b>10</b>