

Course Overview

Fellow students, customary law is essentially a habit that is carried out repeatedly for generations, which then becomes a norm and becomes the norm. Repeatedly from generation to generation, which then becomes a norm and becomes a guideline for the life of guidelines for the lives of community members, which in its development are obeyed and sanctioned if not obeyed. Therefore, customary law was born, grew, and developed from the Indonesian society and is one of the unwritten positive laws, still recognized, maintained, and used until now. Recognized, maintained, and used to this day. Although customary law was not become a concern or often underestimated, but after there is a change in views and understanding of the law that the law will be effective if it adopts the values that live in the community, it has been recognized, maintained and used today. Values that live in society, have been adhered to and used as a guide to life for generations by the community. For generations by the community. This view then changes the structure of thinking of the legislators so that in some laws and regulations have included legal norms that exist in customary law, for example peaceful dispute resolution (mediation), as well as local wisdom in utilizing natural resources, and the community's community in utilizing natural resources, and so on.

Indonesian society is a society that is *Bhinneka Tunggal Ika*, pluralistic, different ethnicities, religions, races, cultures, and geographies which then become one unit in the Unitary State of the Republic of Indonesia. Unity in the Unitary State of the Republic of Indonesia. Rich in moral values that can be used as raw material in the preparation of laws and regulations or as a source of law for judges in exploring, finding source of law for judges in exploring, finding law in resolving cases in court.

The discussion of this Main-Course Material (MCM) of Customary Law is divided into 9 (nine) modules. In Module 1, you will learn about the Principles of Customary Law. Customary Law, relating to the term origin of customary law, understanding, benefits, and the basis of the enactment of customary law. The enactment of customary law. Module 1 will also discuss the characteristics of customary law and customary law communities in Indonesia.

In Module 2, you will learn about the history of the development of customary law in Indonesia. Development of customary law in Indonesia, regarding the development of customary law before the independence of the Republic of Indonesia and how the process of development of customary law. Module 2 will also discuss about how customary law in national development.

The discussion of the law relating to persons will be discussed in Module 3 (three). This module begins by explaining about the subject of law the subject of law in customary law, how the definition of capable and adult in customary law and how capable and mature according to the law. The understanding of capacity and adults is very important because it relates to the ability or inability to perform legal acts.

In Module 4 (four), you will be given an explanation of family law, starting with an explanation of blood relations or descent in the view of customary law. Module 4 will also explain about guardianship and child adoption and how rights, especially inheritance rights, are granted to adopted children. At the concept of granting inheritance rights to adopted children in customary law, there will be differences in with Western law. Customary law prioritizes the aspects of harmony and appropriateness. Likewise, the inheritance rights of stepchildren will be explained in this module.

Module 5 will explain the law of marriage. It will explain the meaning of marriage in customary law and the forms of marriage known in customary law. Forms of marriage known in customary law. How the procession before marriage process, such as the proposal process, will also be explained in this module. Likewise, it will be explained in this module as well as marital property in the view of customary law.

In Module 6 (six), you are invited to understand customary inheritance law. You will be explained about the definitions and terms in customary inheritance law, the principles in customary inheritance law and how the system of customary inheritance law in Indonesia.

Module 7 (seven) will explain about customary land. In this module we will explain the definition, characteristics, and objects of customary land rights. Because in Indonesia consists of various cultures and customary laws in accordance with their respective regions. Then in this module will be explained about the various kinds of customary land rights and how customary land transactions.

Module 8 (eight) will explain how customary delict law works. Will explain the definition and nature of customary delicts, the types of customary delicts and the procedures for resolving them. This module will also discuss the field of the applicability of custom offenses and legal officers for custom cases.

Finally, Module 9 (nine) will discuss the existence of customary law in national law. It will explain the actualization of customary law in history, customary law as a reflection of the soul of Indonesian society and customary law as the living law.

How customary law continues to live in Indonesia's pluralistic society within the framework of the Unitary State of the Republic of Indonesia (NKRI), even though it consists of various tribes and cultures, various regional languages and different religions that live on approximately eight large islands and thousands of small islands. Living on approximately eight large islands and thousands of small islands, but until now they have lived peacefully in the Unitary State of the Republic of Indonesia.

Learning Guideline

To get good results, you should learn these BMPs by the following steps:

1. Study the module in orderly manner.
2. Study each learning objective in the instructions of each subject matter contained in each module.
3. Study the subject material in each module.
4. Complete the exercises and formative tests contained in each module.
5. If there is any unclear subject material, discuss it with your Tutor.

Competency Map Customary Law/IEHKUM4204/3 credit units

