

Arabic as a Source of Foreign Legal Reference: Its Relevance and Challenges in Legal Education in Indonesia

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Abstract

Arabic is one of the primary source languages for various international legal documents, bilateral treaties, and the legal systems of countries with Sharia-based or mixed legal frameworks. This article explores the relevance of Arabic language proficiency as a component of foreign legal literacy within legal education in Indonesia. Using a qualitative approach through literature review and curriculum analysis, the study finds that mastery of Arabic significantly enhances the comprehension of foreign legal texts, including international agreements, commercial laws, and transnational civil law. Nonetheless, several challenges persist, such as the lack of standardized teaching materials, inconsistencies in legal terminology, and the limited number of qualified instructors capable of integrating language and legal studies effectively. This study recommends the incorporation of legal Arabic into law school curricula, particularly in areas focusing on international law, comparative law, and legal translation.

I. Introduction

Arabic serves as a pivotal legal language in the Middle East and North Africa (MENA) region, influencing governance, diplomacy, and the formulation of legal frameworks. Beyond its cultural and religious significance, Arabic functions as the principal medium for legislation, judicial processes, and administrative law in more than 20 countries. Furthermore, Arabic plays a central role in drafting multilateral treaties and regional agreements, such as those produced by the Organization of Islamic Cooperation (OIC) and the Gulf Cooperation Council (GCC), where preserving legal nuance in the original language is critical for legal validity and diplomatic clarity (Fahmi & Lahlou, 2022). Despite its prominence in the MENA region, Arabic remains underrepresented in the global legal translation industry. Studies indicate that Arabic ranks low among translated legal and academic texts, revealing a disparity between its regional legal authority and global visibility. Arabic's legal function intersects with broader political and ideological dimensions, as language is frequently employed to assert legal sovereignty and shape public narratives particularly in politically sensitive contexts such as the Israeli Palestinian conflict (Alhirthani, 2021). While Arabic holds significant potential as a global legal language, the current structural and institutional limitations highlight the need for greater investment in legal translation infrastructure and academic engagement to strengthen its international legal standing.

Indonesia's growing diplomatic, economic, and legal engagement with the Middle East underscores the urgent need to broaden the linguistic competencies of its legal professionals-particularly in Arabic. (Muslim et al., 2022). As Indonesia expands its trade partnerships, labor migration agreements, and diplomatic relations with Arabic-speaking countries, the ability to interpret and negotiate legal texts in Arabic becomes indispensable. Mastery of legal Arabic equips law graduates to analyze primary legal documents in Arab jurisdictions, better understand comparative constitutional frameworks, and participate more effectively in global legal discourse. Despite its growing significance, Arabic remains marginalized in Indonesian legal education, where it is typically confined to faculties of Islamic studies. This narrow curricular focus limits Arabic's broader application in secular legal contexts such as international business law, migration law, and treaty interpretation (Mohamed, 2023).. Recognizing Arabic as a functional legal language would prepare Indonesian legal professionals to engage more confidently with Middle Eastern legal systems and to contribute meaningfully to international legal collaboration.

The absence of structured Arabic language instruction tailored specifically to modern legal applications within Indonesian legal education presents a significant barrier to students' ability to engage directly with primary legal materials from Arabic-speaking countries. (Zainuddin et al., 2024). However, most curricula lack a focus on Modern Standard Arabic (MSA) and regional dialectical variations, which are essential for understanding the socio-legal and linguistic dimensions of many legal documents (5IJJ,

2023). The central research question is: To what extent is Arabic relevant as a source of legal reference in Indonesia, and what institutional, linguistic, and pedagogical challenges must be addressed to incorporate Arabic into legal education?. Integrating Arabic into Indonesian legal curricula marks a progressive step in the development of legal linguistics and comparative legal education (Mohamed, 2023). Recognizing Arabic as a critical legal language -not only in Islamic law but also in international legal discourse- can enhance students' ability to engage with diverse legal systems and interpret foundational texts with greater accuracy.

2. Research Method

This study adopts a qualitative descriptive approach, which is appropriate for exploring the social and institutional dynamics involved in the integration of Arabic as a legal language within Indonesian legal education. A qualitative design enables the researcher to interpret meaning from textual and interview data in a naturalistic setting, offering depth rather than generalizability (Creswell, 2014). The research is exploratory in nature, aiming to understand how Arabic is positioned in law curricula, what institutional challenges exist, and how legal educators perceive its relevance beyond religious contexts.

3. Results and Discussion

Limited Curricular Integration of Arabic in Legal Education

The integration of Arabic into Indonesian legal education particularly within general law faculties remains significantly limited. While Arabic language instruction is commonly offered in Islamic studies faculties, it predominantly focuses on religious texts and classical grammar, with minimal attention to modern legal terminology or applied legal contexts. This institutional orientation reinforces the traditional view of Arabic as solely a theological language, thereby hindering the emergence of interdisciplinary legal-linguistic competence among law students (Muslim et al., 2022). As a result, Arabic is largely absent from mainstream legal curricula, and when present, it does not prepare students for engaging with contemporary legal texts such as treaties, court rulings, or statutory interpretations produced in Arabic-speaking jurisdictions. This trend not only reflects a lack of pedagogical innovation but also contributes to the marginalization of Arabic within the broader legal academic framework.

The impact of this curricular gap is particularly evident in areas where Islamic law intersects with the national legal system, such as in Aceh. Legal scholars in the region rely heavily on Arabic to extract legal rulings (*istinbāt*) from classical sources, and a solid command of Arabic is essential for the formulation of fatwas and the interpretation of authoritative texts (Muslim et al., 2022). However, the exclusion of Arabic from general legal education reduces the potential for students to critically engage with Islamic legal heritage, even in cases where such knowledge is relevant for understanding Indonesia's plural legal landscape. Moreover, the bureaucratization of Sharia law in Indonesia -evident in regulatory reforms and codification

efforts-requires professionals who can bridge classical Arabic legal reasoning with modern legal norms (Jahar, 2019). Without Arabic as part of legal education, this integration remains superficial. While some argue that the current model strengthens specialization in Islamic studies, it inadvertently reinforces the divide between religious and secular legal spheres, limiting the ability of future legal professionals to operate across both domains effectively.

The absence of pedagogical frameworks for Arabic instruction in secular legal contexts-especially when contrasted with the well-established infrastructure for English for Legal Purposes (ELP) reveals a critical institutional gap in Indonesian legal education. While ELP benefits from structured curricula, abundant resources, and international standardization, Arabic instruction remains fragmented and underdeveloped. An analysis of Arabic curricula in various institutions shows significant shortcomings in both content and structure, particularly in relation to legal discourse (Mubarak et al., 2020). Language acquisition strategies such as collocation and contextual learning are rarely applied in Arabic instruction, limiting students' ability to acquire the specific vocabulary and syntactic structures needed in legal settings. As a result, law students are ill-equipped to engage with legal texts written in Arabic, despite the growing relevance of such texts in international legal contexts, especially those involving Islamic law and Middle Eastern jurisdictions.

The marginalization of Arabic in legal curricula stands in stark contrast to its strategic importance in fields such as Islamic finance, Middle Eastern comparative law, and international legal cooperation. Scholars have emphasized that Legal Arabic is a critical tool for understanding foundational concepts in both classical and modern legal systems across the Arab world; (Mohamed, 2023). To address this, experts recommend the development of elective courses specifically designed for law students, integrating legal terminology, document analysis, and applied reading skills. These courses should be grounded in pedagogical models such as the Common European Framework of Reference for Languages (CEFR), allowing for clear assessment of proficiency and progressive skill development (Mohamed, 2023). While critics may argue that English remains the dominant lingua franca in global legal discourse, the growing geopolitical and economic significance of the Arab region suggests that the inclusion of Legal Arabic is not just beneficial but essential to producing globally competent legal professionals.

The Relevance of Arabic in International Legal Engagement

The relevance of Arabic for Indonesian legal professionals is underscored by its critical role in understanding legal frameworks, particularly in contexts involving Islamic law and regional regulations. As engagement with the Middle East increases, the necessity for Arabic proficiency becomes evident, especially in areas such as treaty interpretation, contract law, and migrant labor agreements. This proficiency enhances legal analysis by allowing access to original texts, thereby reducing reliance on potentially inaccurate translations

a. Importance in Legal Analysis

One of the most compelling justifications for integrating Arabic into legal education is its role in providing direct access to foundational legal texts. Arabic remains the primary language of legal documentation in many jurisdictions, particularly in the Middle East and North Africa (MENA), where critical sources of law including constitutions, civil codes, fatwas, and judicial opinions are authored in Arabic. For Indonesian legal professionals and students seeking to engage in comparative legal analysis, Islamic jurisprudence, or international cooperation with Arabic-speaking countries, the ability to read and interpret these texts in their original form is invaluable. Such access not only enhances the depth and accuracy of legal reasoning, but also allows for more nuanced understanding of legal concepts that may not have direct equivalents in other languages (Muslim et al., 2022).

Proficiency in Arabic significantly reduces the risk of misinterpretation resulting from reliance on translated legal texts. Legal translation is inherently complex, especially when dealing with culturally embedded terminology, doctrinal nuances, or contested meanings. Errors or imprecise renderings in translation can lead to misapplication of legal norms, flawed arguments in court, or misguided policy recommendations. In high-stakes legal contexts—such as treaty negotiations, international arbitration, or the formulation of Islamic financial instruments—such misunderstandings can have far-reaching consequences. Therefore, by equipping legal professionals with the linguistic tools to engage Arabic texts firsthand, legal education can strengthen the precision and legitimacy of legal decisions, while also promoting more equitable and informed participation in transnational legal discourse (Muslim et al., 2022).

b. Role in Legal Pluralism

In the context of Indonesia's legal pluralism, the province of Aceh offers a distinctive case where Arabic plays an integral role in the formulation of regional regulations known as qanun. These legal instruments are not merely administrative by nature; they are deeply rooted in Islamic jurisprudence, often drawing upon classical Arabic legal sources such as the Qur'an, hadith, and the works of prominent fuqaha (jurists). The process of drafting qanun requires legal scholars and policymakers to access, interpret, and contextualize these Arabic texts to ensure doctrinal legitimacy and practical applicability. As a result, Arabic functions not only as a linguistic medium but also as a gatekeeper of legal authority and authenticity within Aceh's legal framework. The absence of sufficient Arabic proficiency among legal practitioners, lawmakers, or even bureaucrats involved in the regional governance process could therefore lead to superficial interpretations, inconsistencies in legal reasoning, or an overreliance on secondary sources that may distort the intent of the original legal texts.

Beyond the technical drafting of qanun, a deeper engagement with Arabic legal terminology is essential for addressing complex socio-legal issues, particularly those related to gender justice, inheritance law, family relations, and criminal procedure. These domains are governed by nuanced Islamic legal principles whose meanings are often embedded in specific Arabic expressions that lack direct translation in Bahasa Indonesia or English. For instance, concepts such as *'adl* (justice), *wilāyah* (guardianship), and *ta'dīl* (adjustment or moderation)

carry layered meanings that shape interpretations in cases of marriage, custody, and succession. By promoting Arabic proficiency among legal educators, judges, and law students, Indonesian legal education -particularly in regions like Aceh- can foster a more informed and contextually sensitive legal culture, one that honors the ethical spirit of Islamic jurisprudence while responding to modern legal challenges. Local languages, particularly those embedded in *adat* (customary) systems, continue to shape dispute resolution practices and normative understandings at the community level, reflecting legal values that are distinct yet constitutionally recognized (Bedner & Berenschot, 2023). Legal education that prioritizes Arabic without integrating Indonesia's diverse linguistic-legal heritage risks promoting epistemic imbalance and alienating legal practitioners from the socio-legal contexts they serve. As emphasized above, a balanced curriculum should embrace Arabic as a tool for engagement with international and Islamic law while reaffirming the importance of local legal culture, language, and jurisprudential traditions in shaping holistic legal competency.

Table 1. The Relevance of Arabic in International Legal Engagement

Domain	Description	Practical Applications	Implications for Legal Education
Diplomatic Relations	Arabic is one of the six official UN languages, used in multilateral negotiations, peace agreements, and international treaties.	Drafting and interpreting agreements under the OIC, Arab League, and UN resolutions.	Law students need exposure to diplomatic Arabic and legal document interpretation skills.
Comparative Law	Enables direct study of civil and Islamic legal systems in Arabic-speaking countries.	Analyzing constitutional frameworks in Egypt, Jordan, or Morocco; comparing civil procedure systems.	Curriculum should include legal reading and comparative law modules in Arabic.
Islamic Finance & Trade	Arabic is the linguistic foundation for Sharia-based financial contracts and regulatory frameworks.	Reviewing fatwas on <i>sukuk</i> , <i>murabaha</i> , and Islamic banking standards in GCC countries.	Law programs should incorporate Arabic legal terminology related to economics and finance.
Human Rights Law	Many regional human rights documents in the Arab world are drafted in Arabic, requiring contextual interpretation.	Engaging with the Arab Charter on Human Rights or regional human rights courts and commissions.	Legal education must train students in reading and translating rights-based legal documents.
Migration & Labor Law	Arabic is key to understanding labor laws in destination countries for Indonesian migrant workers in the Middle East.	Reviewing bilateral labor agreements, employment contracts, and legal protections for migrant workers.	Law faculties should offer Arabic-for-labor-law modules to support legal aid and policy advocacy.

Legal Translation	Reduces errors and misinterpretations in translating legal documents that involve complex legal terminology.	Accurate translation of court decisions, contracts, and fatwas from Arabic into Indonesian or English.	Training in legal Arabic can improve the accuracy and ethics of multilingual legal communication.
Judicial Cooperation	Promotes cross-border legal collaboration and understanding in international arbitration and mutual legal assistance.	Participation in arbitration panels, legal delegations, and intergovernmental legal working groups.	Advanced Legal Arabic courses can prepare students for roles in international courts or diplomacy.

This table clearly demonstrates the direct and multifaceted relationship between Arabic language proficiency and the practical and strategic needs of Indonesian legal education in an increasingly global legal landscape. The table suggests that a competency-based curriculum emphasizing applied skills in reading, interpreting, and translating legal Arabic could bridge the current pedagogical gap, foster interdisciplinary legal training, and better prepare graduates for roles in diplomacy, transnational litigation, and international Islamic finance. In this way, Arabic is repositioned as a critical enabler of global competitiveness and legal pluralism in Indonesian legal education.

Pedagogical and Institutional Challenges

a. Pedagogical Challenges

One of the primary obstacles to integrating Arabic into legal education in Indonesia is the limited availability of specialized teaching resources. The majority of Arabic textbooks currently used in universities focus heavily on classical grammar, morphology (*nahw* and *sharaf*), and religious vocabulary, reflecting the language’s traditional use in theological studies. As noted by Ali et al., the lack of materials tailored to contemporary legal contexts has created a significant pedagogical gap, preventing learners from developing the linguistic competence needed for legal interpretation, negotiation, or comparative analysis involving Arabic-speaking jurisdictions (Ali et al., 2024). Another critical challenge lies in the qualifications of Arabic language instructors, many of whom come from purely linguistic or religious education backgrounds and often lack formal legal training. This disconnect limits their ability to teach legal concepts accurately or to contextualize Arabic usage within the frameworks of civil, criminal, or international law. As Khasawneh argue, effective instruction in Legal Arabic requires not only proficiency in the language but also a working knowledge of legal systems and terminologies to ensure relevance and accuracy (Khasawneh, 2022). Without such interdisciplinary expertise, instruction tends to remain abstract and disconnected from real-world legal practice, reducing student engagement and the overall impact of Arabic language training within legal faculties.

b. Institutional Barriers

In most Indonesian universities, these faculties operate within siloed academic frameworks, with little to no coordinated effort to design or offer interdisciplinary courses that merge legal content with Arabic language instruction. This disconnect impedes the development of courses that could train law students to navigate legal documents, judicial decisions, or legislative instruments written in Arabic. The lack of joint academic programming hinders innovation in pedagogy, such as co-teaching models or simulated legal translation clinics, which could significantly enhance both legal and linguistic competencies (Andrian & Yul, 2023). Compounding this institutional divide is the deeply rooted perception of Arabic as a purely religious language, a view that continues to shape students' attitudes and curricular priorities. Among law students, Arabic is frequently associated with Islamic ritual, classical texts, or religious instruction, rather than with legal scholarship, international relations, or economic cooperation; such as Islamic finance, Middle Eastern diplomacy, or comparative constitutional law. This sociolinguistic bias not only undermines the interdisciplinary potential of Arabic but also reinforces a false dichotomy between "secular" and "religious" knowledge. Overcoming this barrier requires both curriculum reform and cultural reframing-positioning Arabic as a dynamic legal language with strategic value across multiple legal domains, not just as a tool of devotion or tradition.

Strategic Opportunities for Reform

a. CEFR Framework Integration

The Common European Framework of Reference for Languages (CEFR) offers a structured and internationally recognized model for assessing language proficiency, which holds significant potential when adapted for the instruction of Legal Arabic. Traditionally used in general language education, the CEFR can be tailored to include domain-specific descriptors that focus on legal terminology, discourse structures, and genre-based reading comprehension. By integrating CEFR-aligned learning outcomes, educators can guide students through a progressive acquisition of language skills from understanding basic legal definitions to analyzing complex legislative texts and judicial opinions in Arabic. Aligning Legal Arabic instruction with CEFR benchmarks ensures that learners achieve tangible and measurable competencies relevant to legal education and practice (Mohamed, 2023). This approach enhances not only the validity and reliability of language assessment, but also students' readiness to operate in multilingual legal environments. In the long term, such structured language education can support the broader goals of internationalization, legal diplomacy, and curriculum innovation within Indonesian legal faculties, especially as Arabic becomes increasingly relevant in global legal discourse.

b. Collaborative Opportunities

Establishing academic partnerships with universities across the Arab world holds

significant potential for enriching legal curricula in Indonesia, particularly in the development of Legal Arabic instruction. Such collaborations can facilitate access to authentic legal resources, including case law, legislative texts, and pedagogical materials grounded in Arabic legal traditions. These partnerships also open opportunities for faculty exchanges, joint research initiatives, and international seminars, fostering comparative legal understanding and cross-cultural engagement. International academic cooperation not only strengthens institutional capacity but also equips students with the global legal literacy necessary to engage with emerging legal challenges in the Arab region (Savski & Prabjandee, 2022). Co-teaching enhances pedagogical coherence, improves knowledge retention, and prepares students for real-world legal practice in multilingual environments. When implemented effectively, these interdisciplinary strategies can significantly advance the quality and relevance of legal education, aligning it with both national priorities and the global shift toward translingual legal competence (Li et al., 2024).

c. Curriculum Design

Integrating Legal Arabic into the law curriculum can be approached strategically by offering it either as a standalone elective module or by embedding it into existing courses such as comparative law, international law, or Islamic law. This flexible design allows institutions to align the module with their curricular priorities while giving students the autonomy to tailor their learning experience based on their academic interests and professional aspirations. As noted by Robaldo et al. (2019), elective modules that intersect with core legal subjects not only enrich interdisciplinary competence but also enhance student motivation by demonstrating the practical utility of language skills in legal contexts. Positioning Legal Arabic within such frameworks ensures that it complements -not competes with- existing doctrinal instruction, thereby increasing its accessibility and relevance for students across legal specializations (Robaldo et al., 2019). To further enhance student engagement and the practical applicability of the module, it is crucial to incorporate legal case studies that are directly relevant to the Indonesian legal landscape. By contextualizing Arabic legal texts - such as fatwas, statutes, or judicial opinions - within Indonesian socio-legal issues (e.g., marriage law in Aceh, Islamic finance regulations, or labor migration cases), students are better equipped to see the immediate value of Legal Arabic in their national legal practice. This localized approach transforms abstract linguistic exercises into meaningful legal analysis, fostering both critical thinking and functional language proficiency.

d. Benefits of Legal Translation Labs

One of the most valuable components of a Legal Arabic module is the opportunity for practical experience through direct engagement with authentic legal texts. By working with real-world materials - such as contracts, legislative excerpts, court decisions, and fatwas - students develop critical competencies in legal translation, including textual interpretation, contextual analysis, and linguistic precision. Over time, this practice cultivates not only translation fluency but also deeper legal literacy, enabling students to approach Arabic legal

documents with confidence and accuracy. Equally essential is the provision of expert supervision by professionals with backgrounds in both law and linguistics. As Girard and Peach (2024) emphasize, expert-led training environments enhance learning outcomes by modeling high standards of precision, ethical translation practices, and professional rigor elements that are difficult to acquire through independent study alone (Girard & Peach, 2024). Thematic competencies focus on mastering specialized vocabulary within legal domains such as commercial law, constitutional law, or international treaties. When combined, these competencies foster a well-rounded and professional skill set that prepares students not only for translation tasks, but also for broader roles in legal consulting, diplomacy, and transnational litigation where Arabic proficiency is a strategic asset (Girard & Peach, 2024). This integrated approach ensures that Legal Arabic is taught not merely as a language, but as a legal tool within a complex and multilingual global legal system.

4. Conclusion

The integration of Arabic into legal education in Indonesia is not only timely but also strategically essential in preparing law graduates for engagement in both regional and international legal arenas. While Arabic has long been associated primarily with religious studies, its role as a functional legal language particularly in the context of international law, Islamic finance, human rights, and comparative constitutionalism demands a paradigm shift in curriculum design. This study has identified key challenges, including the lack of tailored teaching materials, limited instructor qualifications in legal Arabic, institutional silos between law and language faculties, and prevailing perceptions that restrict Arabic to theological use. Addressing these gaps requires a multi-pronged approach: developing CEFR-based Legal Arabic modules, fostering interdisciplinary teaching collaborations, and embedding practical case studies that link Arabic legal discourse with the Indonesian legal system. Furthermore, institutional partnerships with Arab universities and the incorporation of expert supervision in translation activities can significantly enhance the depth and relevance of legal Arabic instruction.

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