

Title page, Content, etc.

権利	Copyrights 日本貿易振興機構 (ジェトロ) アジア 経済研究所 / Institute of Developing Economies, Japan External Trade Organization (IDE-JETRO) http://www.ide.go.jp
journal or publication title	Law and Development in Changing Indonesia
volume	8
year	2001
URL	http://hdl.handle.net/2344/00015163

IDE Asian Law Series No. 8
Law and Development in Asian Countries

Law and Development in Changing Indonesia

Achmad Ali
*Professor of Law at Faculty of Law
Hasanuddin University
Makassar, Indonesia*

INSTITUTE OF DEVELOPING ECONOMIES (IDE-JETRO)

March 2001

JAPAN

Table of Contents

Preface	i
Table of contents	ii
About the author	iv
Introductory remarks	v
Chapter I: INTRODUCTION: PRESENT POSITION OF THE UNIFICATION OF LAWS IN INDONESIA	1
I. Unification of law in Indonesia	8
A. The background of the Indonesian legal system	8
B. The Indonesia legal system	12
C. Sources of law in the Indonesia legal system	13
D. Unification of laws in Indonesia	28
II. Legal reform in Indonesia	44
A. Law reform in the substance component	44
B. Law reform in the structure component	54
C. Law reform in the legal culture component	59
III. Decentralization of powers and the role of law in Indonesia	61
A. The implementation of Law No. 22 /1999	67
B. The indicators of future development	70
C. Local organization and institution	72
D. Community empowerment	74
Chapter II: CHANGING ROLE OF LAWS IN INDONESIA	75
I. Socio-economic development aspect and the positive role of law; tasks/obstacles to be overcome	75
II. Political development and the positive role of law	84
III. Tasks/obstacles to be overcome	87
Chapter III: CRITICAL DISCUSSIONS ON "LAW AND DEVELOPMENT"	91
I. How was "law and development" research framework discussed in Indonesian context?	91
II. Can law become the vital means to achieve development in	96

Indonesia?	
III. The "law and justice" in Indonesia	104
A. Definitions of justice	104
B. Types of justice and legal reform in Indonesia	106
Chapter IV: NEW PARADIGM OF LAW & DEVELOPMENT IN INDONESIA	112
Chapter V: TOWARDS MODERNIZATIONS OF LAWS IN INDONESIA	118
I. Harmonization with traditional (communal) values	118
II. Effects of the democratization and the decentralization movement	130
III. Direction of the future legal reform	133
IV. Legal development and the role of foreign assistance in the areas of law	136
V. Friction of the system provided by legal technical assistance with the existing legal system in Indonesia	138
VI. How effective is legal technical assistance by foreign countries and international financial organizations to bring about the economic and social development in Indonesia?	142
Chapter VI: CONCLUSION	145
References	148

ABOUT THE AUTHOR

Achmad Ali is a Professor of Law at Hasanuddin University, where he specializes in the area of sociology of law, legal theory (philosophy of law), procedural law, and also comparative law. Now, he is also a Dean of Faculty of Law at Hasanuddin University in Makassar, South Sulawesi, Indonesia. Born at Makassar, South Sulawesi, Indonesia, 9th November 1952. He received a Master of Law in 1985 from Gadjah Mada University, Yogyakarta, Indonesia and then, he holds a Ph.D. in Law in 1998 from Hasanuddin University, Makassar, Indonesia. He is also the author of more than a dozen books and hundreds papers and articles.

E-mail: Achm@indosat.net.id

Published by Institute of Developing Economies (IDE), JETRO
3-2-2 Wakaba, Mihama-ku, Chiba-shi
Chiba 261-8545, JAPAN
FAX +81-(0)43-2999731
Web Site: <http://www.ide.go.jp>
e-mail: laws@ide.go.jp

© 2001 Institute of Developing Economies