



Universiteit
Leiden
The Netherlands

How lawyers win land conflicts for corporations: Legal Strategy and its influence on the Rule of Law in Indonesia

Kouwagam, S.U.

Citation

Kouwagam, S. U. (2020, June 23). *How lawyers win land conflicts for corporations: Legal Strategy and its influence on the Rule of Law in Indonesia*. Meijers-reeks. Retrieved from <https://hdl.handle.net/1887/123059>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/123059>

Note: To cite this publication please use the final published version (if applicable).

Cover Page



Universiteit Leiden



The handle <http://hdl.handle.net/1887/123059> holds various files of this Leiden University dissertation.

Author: Kouwagam, S.U.

Title: How lawyers win land conflicts for corporations: Legal Strategy and its influence on the Rule of Law in Indonesia

Issue Date: 2020-06-23

This book is about actions performed by lawyers in order to win land rights for corporations using the legal system. In order to perform these actions, lawyers in Indonesia not only deploy the weaknesses in the law, but their strategies are supplemented with an acquired structural advantage: social capital in the form of loyalty of others they have vetted, such as judges, policemen and prosecutors. The book gives a comprehensive account of the field that makes the strategies possible from multiple angles, such as courts, business actors, the condition of the rules, and then continues to expose the strategies.

The analysis shows disparity between two worlds, one globalized, 'modern' law and legal practice with its rational-impersonal approach and ideals, the other the local, traditional world of relationality. This disparity causes an extreme compartmentalization of multiple kinds of legal practices, and stunted lawyers' contribution to legal development. The book is concluded by highlighting the specifications to the condition of the Rule of Law in Indonesia which need special attention and offer suggestions for substantive and sustainable legal reform.

This is a volume in the series of the Meijers Research Institute and Graduate School of the Leiden Law School of Leiden University. This study is part of the Law School's research programme 'Effective Protection of Fundamental Rights in a pluralist world'.

ISBN 978-94-028-2070-6



9 789402 820706 >

How lawyers win land conflicts for corporations

Legal Strategy and its influence on the Rule of Law in Indonesia

S. KOUWAGAM