



JILS (JOURNAL *of* INDONESIAN LEGAL STUDIES)

Human Rights Issue in Various Context: National and Global Perspective

Published by Faculty of Law, Universitas Negeri Semarang, Indonesia
Volume 6 Issue 1, May 2021 ■ ISSN (Print) 2548-1584 ISSN (Online) 2548-1592

BOOK REVIEW

HOW SHOULD THE LAW WORK? A BOOK
REVIEW “*BIARKAN HUKUM MENGALIR:
CATATAN KRITIS TENTANG PERGULATAN
MANUSIA DAN HUKUM*”, PROF. DR.
SATJIPTO RAHARDJO SH, PT KOMPAS
MEDIA NUSANTARA JAKARTA, 2007, 158
PAGES, ISBN: 978-979-709-334-1

Ade Mirza Kurniawan 

Satjipto Rahardjo Research Center, Semarang, Indonesia

✉ ademirza30@gmail.com

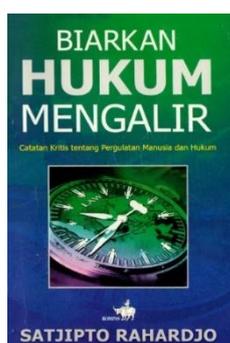
Submitted: Jan 28, 2021 **Revised:** February 12, 2021 **Accepted:** April 2, 2021

ABSTRACT

In this book, the author conveys criticism and suggestions regarding the development of law that has the dimension of humanity and the values of true justice. Starting from the meaning of order, local communities with their specific but effective policies, to the idea of

legal certainty related to the status-quo. Delivered in a light and flowing language, this book needs to be read by lecturers and law students, observers, and researchers in the field of social politics, as well as anyone who cares about the value of justice and humanity. This book “mistrust” human flashiness in creating and carrying out the law, as well as breaking and tearing it down. Delivered in a light and flowing language, this book needs to be read by lecturers and law students, observers and researchers in the field of social politics, as well as anyone who cares about the value of justice and humanity.

Keywords: Justice, Human Rights, Progressive Law



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IN THIS BOOK, the writer told the perspective of the law development which has the dimension of humanity and the values of true justice, the meaning of order, the local community with its unique but effective policies, deviations from the idea of legal certainty to the way the nations of law.

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In this book tells a real case an example of a case of fraud that occurred On August 2, 1985, a Delta Airlines jumbo jet crashed in Dallas and killed 137 people. Immediately after the disaster the lawyers from both parties, namely the victims and the airlines, plunged into the field so quickly and aggressively. A fierce battle with bitter and immoral accusations is a scene that follows the following years. A good illustration of how to judge in the United States. Ten days after the incident in Dallas, a Japan Airlines jumbo jet crashed on Mt. Ogura in the Honshu Islands. There are no lawyers who aggressively descend to the scene, like a crow looking at a carcass. The days that followed were filled only with an atmosphere of deep sorrow. The Japan Airlines company, in full efforts to evacuate and help both victims and their families. After everything was settled, the president of Japan Airlines faced the row of victims and their families, bowed deeply, apologized, and finally resigned from office. Children of the victims also received scholarships from the airline. That is a portrait of how to judge in Japan.

In this book, the author conveys criticism and suggestions regarding the development of law that has a human dimension and the values of true justice. Starting from the meaning of order, local communities with their specific but effective policies, to the idea of legal certainty related to the status-quo. Delivered in a light and flowing language, this book needs to be read by lecturers and law students, observers, and researchers in the field of social politics, as well as anyone who cares about the value of justice and humanity.

in chapter 1 this book discusses human struggles and their laws how the friction that occurs between activities in daily life in a free

human life must be collided with a rule made to form an order or life that is balanced, peaceful, comfortable, and sentimental. various cases of human opposition to the prevailing laws in society that were created to create a conducive and orderly atmosphere but instead benefited by some individuals who understood the law and played in such a way as to create an opinion that the law is guilty or wrong.

The second chapter discusses the universe of order. the emergence of law greatly shook the establishment of the universe of order. the note that the author gave when observing the emergence of modern law. the law has reduced the broad, large, and intact order of the universe into small pieces, in the form of narrow and rigid schemes. order which used to be limited to the norms that develop in society is made into a book or sheets of regulations that apply legally and globally to ensure the formation of a peaceful and smooth social life.

In the third chapter of this book discusses dynamics outside state law. the writer in this chapter invites the reader to take a closer look at outside state law dynamics as a kind of proof of the vastness of the universe of order. The author explains that the law cannot completely exclude forms of social order or arrangement in all regions of the country. the presence of modern law as a typical type then adopted by national law, is relatively new, long after the presence of the original order in Indonesia which had worked for hundreds of years before.

The dynamics that occur in law enforcement and the sustainability of law in Indonesia consciously or unconsciously make a shift about the meaning and nature of law in Indonesia. the dynamics of the meaning of truth that develops in the public are also different, the development of thoughts about differences in truth is also consciously or not making a shift in the meaning and nature of the law itself.

In chapter 4 of this book discusses national law as a burden on local communities we think that by making national law since independence, everything has been settled with a strong view going forward, it can be said, that from today on Indonesia has had its own

law. it turns out that this is only the first step, because we still face many problems relating to our national law. gradually it was believed that the so-called national law was only one thin layer that covered a thick number of layers beneath it, which the author wanted to call a local order. This order or local order existed long before the coming of the era of national law. For hundreds of years, he has shown his services and usefulness to create an orderly life. Books of "laws", such as *Amana Gappa*, as well as readings, can be read to show that the archipelago is full of social structures that have been formed in such a way by individual elements for personal gain of course. This local order and order do not erase with and since the birth of national law.

In the 5th chapter of this book discusses the way the nations of law The author believes that it is wrong to think that there is only one way to judge in this world. the nations of the world choose their own way to rule or govern their society. Although both refer to us as a rule of law, but we will not find a uniform way of doing the law, because the nature of the law is a value that develops in a particular society and certainly the value of each society must be different.

In chapter 6 this book questions legal certainty again according to the author, legal certainty is a trademark when people talk about the law. Law is always discussed in connection with the certainty of law and therefore, legal certainty has become excellent in the discourse regarding law. But have we ever stopped in mind whether the law can cover all the problems that occur in society today? of course not, because the law itself is still global and cannot merely see the written law alone but also by looking at other aspects.

In chapter 7 this book discusses that human law is not a machine Forty years ago, Julius Stone had been quizzing about the position of the machine in the way of punishing humans. The use of machines, computers, which demonstrate the ability to deal with various problems more quickly and massively, has tempted people to ask, "what if we also involve the machine in the law-punishment business?" a machine that is capable of working fast and completing a large amount of it, is able to work like that, in return for what we have to give, which is to give up the ways of thinking and working

the machine. here the problem becomes critical, because the machine has a pattern of thinking and working that is not exactly the same as humans, also when humans do legal work, which makes the essence, or the main goal of the law is not achieved that is fair decision making which is the primacy of the law that is fair.

In chapter 8 this book discusses the liberal nature of modern law modern law that is now commonly used in the world has a long history of formation, more than ten centuries. Another interesting thing is the question, why was the law born from the west, why for example not China? even though we know how advanced Chinese civilization has been since thousands of years ago. it leads to the conclusion that it is the free mindset of Westerners that makes their laws develop rapidly and become complex laws in addressing all problems that occur and with a positive or negative consequence. positively the law will develop better and be able to cover all the problems that occur but negatively the development of law from the future invites other new problems that are even more complex

In chapter 9 this book discusses the ordinary and extraordinary things in law from the beginning, unrelenting humans wrestle with their own laws, as described at the beginning of this book, then in fact in the affairs of the law, we are not always faced with a straight and normal journey, but often filled with faults and curves. Laws or regulations are basically designed based on certain assumptions. court designs become this or that, for example, based on the estimated average number of cases entered

In the 10th chapter of this book discusses progressive liberating laws in the beginning, it was explained how the law is full of dynamics and turmoil. Laws that are reserved, even favored to bring, and maintain public order, must recognize, that there is also endless turmoil. in a certain period, life can run relatively calmly, while at other times calmness and order must be broken through to create better order.

This book literally has a good point of view, Prof. Dr. Satjipto Rahardjo made a very good job with a view of see the law with the essence of the law itself. But Prof. Dr. Satjipto Rahardjo should make

a note for the beginner because there was a point that for beginner, they cannot understand it smoothly.

DATA of BOOK

Author : Prof. Dr. Satjipto Rahardjo, S.H.
Published Year : 2007
Title : Biarkan Hukum Mengalir: Catatan Kritis
tentang Pergulatan Manusia dan Hukum
Language : Indonesia, *Bahasa*
Publisher : PT Kompas Media Nusantara
ISBN : 978-979-709-334-1
Page : 156 pages

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