

BOOK REVIEW

John Ball, Indonesian Legal History, 1602-1848. Oughtershaw Press, Sydney, 1982.

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This is a very solid and workmanlike book and will amply repay study by students of Java and of colonial (especially) Dutch law.

The choice of title might be thought a trifle misleading because, as Dr. Ball explains in the Preface, he is concerned with (a) Java, and (b) Dutch law; his book is not a general history.

After an extensive introduction on the impact of the Netherlands East India Company on the local administration of justice, the author provides a chronological description focussing on the "revolutionary period" 1795-1811 (ch.2), the British interregnum, 1811-1816 (ch.3) and later administrative reforms, 1816-1848 (ch.4). Within this format the description is concise and clear, though there is the odd slip - thus reauditie (p.19) is not "re-audit" but re-hearing (cf. L.auditum-i, of judge) and some of the description of Indian law(s) (pp. 37-42) must now be revised in the light of later work.

Again, "orthodox Islamic practice" (p.44) raises a host of difficulties as does the discussion of "classical legal theory" of Islam (pp.65ff.). But to be fair to Dr. Ball, these are not his main concerns.

The main difficulty with a strictly chronological method is that principles and ideas which explain the characteristics of Dutch colonial law in Java tend to become submerged in detailed descriptions. To a certain extent this is inevitable, especially in a pioneering work. Again, to some extent Dr. Ball has attempted to overcome the problem by using such phrases as "revolutionary period", "self-interest" and so on. But this does not quite compensate for an overall explanation, or a set of related expla-

nations as to why Dutch colonial law took the form it did by the mid-nineteenth century. Of course I cannot push this argument too far because I would then be criticizing Dr. Ball for not writing a different sort of book. But even so, the discussion of treaties in chapter 1 could have been a useful basis for a more general discussion of sovereignty, taken through the later periods, and discussed as such in the succeeding chapters. Dr. Ball, in describing the "struggle for adat" (especially at pp. 212 ff.) does seem to come close to looking at the wider issues of legal theory involved.

Dr. Ball must now go on and give us a post-1848 history, and he might there be able to consider some of these issues.

Two final comments. A table or list of regulations and orders etc. would have been useful. Second, the index is not satisfactory for a book of this complexity. A minimum would be an analytical index of 15-20 pages. While a bad index cannot ruin a good book, it can certainly detract from its usefulness.