

# Re-appraising Paul Scholten, His Influence on the Development of a National Legal System in Indonesia

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## Abstract

In 1942, Paul Scholten, a prominent figure at the Rechtshogeschool at Batavia, argued that the native elite students of the Rechtshogeschool should learn to think scientifically in their own native language and that the development of positive law should take cognizance of societal needs. Later, during the period of Indonesia's post-independence few people remembered Scholten's name and could access his works. In the late 90', however, Paul Scholten's work was rediscovered by B. Arief Sidharta and used to boost the idea that the development of a national legal system not only should serve society's need but more importantly be built on the *Volksggeist* (collective mind of a nation). This paper outlines the influence of Scholten on B. Arief Sidharta and how this worked out in Sidharta's views on current legal practice in Indonesia.



















































