

## DOCTORAL THESIS

### Change and continuity in post-Suharto Indonesia: an analysis of key legislation relating to the political system and human rights

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**Change and Continuity in Post-Suharto Indonesia: An Analysis of Key  
Legislation relating to the Political System and Human Rights**

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## Abstract

After more than three decades of authoritarian rule, in May 1998, Suharto eventually stepped down and handed over power to his Vice President B.J. Habibie. Hopes were high that Indonesia would head towards a more democratic future. What has been the direction of change? Have these hopes materialised?

The following study provides an analysis of change and continuity as manifest in key legislation relating to the political system and human rights. Before entering into a detailed analysis of post-Suharto era legislation, in a background chapter key elements of what will be referred to as the dominant discourse of the Suharto regime shall be identified and their manifestation in law under the New Order system be sketched. Furthermore, background information on the stages that determined continuity and change in the two years between May 1998 and August 2000 will be provided and the composition of the new Parliament be examined.

The analysis of key new legislation on the political system and human rights produced amongst others by these newly elected MPs constitutes the main part of the study. The legislation will be assessed against the preceding Suharto era legislation as well as against international standards laid down in international human rights instruments. Concerning the latter a distinction is made between instruments which Indonesia has ratified and others to which the country is not a State Party or which have the form of Declarations and the like. For the former it shall be examined in how far Indonesia has incorporated provisions from ratified documents into domestic law, the latter serve as an overall assessment base.

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