

HilL is a research and advisory institute for the justice sector. Providing crucial knowledge to make law work for people and their organisations – that is our mission.

We provide our clients with:

- Services founded on best practices, combined with expertise from comparative legal research, economics and the social sciences to create knowledge that is directly relevant.
- Approaches suited to a fast-changing environment that provide evaluation and evidence about what is fair, what is effective and what is future proof in a globalising world.
- Consultancy on how to improve legal systems, with profits reinvested in new research on what works in the justice sector.
- A unique international network of academics and high-level practitioners from government, business, and civil society, facilitated by a small support staff.
- Energising interactive projects, working from challenges to innovative solutions, that are implemented in a sustainable way.

Based on our understanding of the needs of our clients in the justice sector, as well as the justice needs served by the sector, we offer assistance that is:

- · Multidisciplinary | not rigidly compartmentalised, as in conventional academic approaches
- Dynamic | going beyond the view of legal principles and traditions as static, normative benchmarks
- Comprehensive | avoiding the problem-by-problem approach of major law firms
- · Agile | not bogged down in the policy debates found in complex international organisations
- Practical | not just producing reports that never get implemented.

HiiL is a not for profit foundation. It is funded by income from the services we perform for our clients and by contributions from governments, philantropic foundations and social entrepreneurs. These contributions enable us to support innovation in the justice sector with open knowledge platforms and specific tools.

T +31 70 762 0700 E info@hiil.org www.hiil.org

The Hague Journal on the Rule of Law is initiated by HiiL.

HAGUE JOURNAL ON THE RULE OF LAW

2013 VOLUME 5 ISSUE 2

CONTENTS

Articles

Developing the Rule of Law in East-Asia (guest editor Adriaan Bedner)

Adriaan Bedner, Editorial: Developing the Rule of Law in East Asia 141
Melissa Crouch, Asian Legal Transplants and Rule of Law Reform: National Human

Rights Commission in Myanmar and Indonesia 146

Marie Seong-Hak Kim, Constitutional Jurisprudence and the Rule of Law: Revisiting the Courts in Yusin Korea (1972-1980) 178

Neil Chisholm, The Diffusion of American Judicial Independence Ideology into Taiwan and South Korea 204

Claire Trần Thị Liên, Communist State and Religious Policy in Vietnam: A Historical Perspective 229

Adriaan Bedner, Indonesian Legal Scholarship and Jurisprudence as an Obstacle for Transplanting Legal Institutions 253

Pip Nicholson & Samantha Hinderling, Japanese Aid in Comparative Perspective 274

Notes

Discussion of the World Bank's Work on Justice and Security in Fragile and Conflict-Affected States

Doug Porter, Deborah Isser & Louis-Alexandre Berg, The Justice-Security-Development Nexus: Theory and Practice in Fragile and Conflict-Affected States 310

Richard Zajac Sannerholm, Re-Conceptualisations *Should* Be Uncomfortable: Comments on 'The Justice-Security-Development Nexus: Theory and Practice in Fragile and Conflict-Affected States' by Doug Porter, Deborah Isser & Louis-Alexandre Berg 329

Julio Faundez, Searching for a 'Good Struggle'. Comments on 'The Justice-Security-Development Nexus: Theory and Practice in Fragile and Conflict-Affected States', by Doug Porter, Deborah Isser & Louis-Alexandre Berg 334

Bruce Baker, Can Structural Change in Justice and Security Be Programmed? A Response to Porter, Isser & Berg 340

Book review

Ann Stewart, *Gender, Law and Justice in a Global Market.* 'Renegotiating Gendered Insights on the Rule of Law under Globalisation' (Jane Kelsey) 345

Distributed by:



Cambridge Journals Online journals.cambridge.org

