

## Legal Interpretation of the Transplanted Law

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**Abstract :** Indonesia developed the legal system radically since 1999. Several laws have been established and mostly the result of transplantation. Laws were made general but legal problems have been growing. In the legal enforcement, the judges have authority to interpret the laws. Authority and freedom are the source of corruption by the courts in Indonesia. Therefore, it should be built the conceptual framework to interpret the transplanted laws as the legal basis in deciding the cases. This article describes legal development based on interpretation of transplanted law in Indonesia by using the Indonesian Supervisory Commission for Business Competition (KPPU) decisions between 2000 and 2010 as the object of the research. The study was using law as a system theory and theories of legal interpretation especially the static and dynamic interpretations. The research showed that the KPPU interpreted the concept that exists in the Competition Law by using static and dynamic interpretation. Static interpretation was used to interpret the legal concepts based on two grounds, minute of meeting during law making process and the definitions that have been recognized in the Indonesian legal system. Dynamic interpretation was used when the KPPU developing the definition of the legal concepts. The general purpose of the law and the theories of the basis of the law were the conceptual framework in using dynamic interpretation. There are two recommendations in this article. Firstly, interpreting the laws by the judges should be based on the correct conceptual framework. Secondly, the technique of interpreting the laws would be the method of controlling the judges.

**Keywords :** legal interpretation, legal transplant, competition law, KPPU

**Conference Title :** ICSRD 2020 : International Conference on Scientific Research and Development

**Conference Location :** Chicago, United States

**Conference Dates :** December 12-13, 2020