

## PREFACE

We are very honoured to present again Udayana Journal of Law and Culture (UJLC) to the respective readers. The current edition comes up with the idea of how cultural elements theories should be contextualized in an up-dated reality. Social scientists, including legal scholars who interested in learning culture and society, are supposed to be familiar to the elements of culture. For decades, modern theories established arguments concerning, and debated over, the elements of culture. As compromising results, some cultural elements are categorized universal while some others are considered would only fit in some particular countries or territories. The current societal picture that shows a rapid development of society and culture then leads to an effort to “Contemporizing Cultural Elements.” These three words are then becoming the main topic of this edition.

The first paper investigates Australian Indigenous legal traditions in a legal methodology point of view. The author establishes an argument that a standpoint research paradigm can assist conceptualisations and theorisations of an ideal Australian Indigenous legal orders. The discussion in this article, among others, covers the ‘most’ universal elements of culture, that is language.

The second article talks about the customary institution as part of a social system --another element of culture-- plays a pivotal role in supporting State structure to eradicate drug abuses in Bali. The voluntary incorporation of customary norms and sanction to be imposed to drug abusers as well as the progressive ideas of customary leaders have strongly indicated the shifting of customary village, from an institution that originally dealing with the matters of custom and tradition into the wider scope of activity in responding contemporary issues.

The third article examines how *merantau* as the entrepreneurial culture of Minangkabau peoples is formed from perceived values, cultural dimension, kinship system and informal cultural based entrepreneurial learning of a society. The discussion includes some elements of culture, among others, social collectivity, social system, and religion.

The fourth article focuses on Collaborative Law as an alternative dispute resolution method in the field of Family Law. The idea of not straightly submit the legal case before the court reflects an efforts to hinder the culture of suing, as commonly practised. Instead, it strongly upholds the principle of good faith during the process, indicating the respect of value.

The last article discovers the global trend of protecting personal data as well as the rights to privacy. It suggests that the absence of a comprehensive data protection law in Indonesia would make Indonesia vulnerable to unfair and non-transparent data profiling for political purpose.

We would like to express our gratitude to all authors, submissioners, editors and reviewers who are scholars and professionals from Indonesia and some other countries for their magnificent contribution in this edition. We hope UJLC would encourage potential audiences to submit their papers for the upcoming editions.

**Editor in Chief**

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