



CEJISS

CENTRAL EUROPEAN JOURNAL OF INTERNATIONAL AND SECURITY STUDIES

4 • 2018

Special Issue

Indonesia Security & Sovereignty

In collaboration with the Experts of Academic Excellence Research Centre
in the Hashemite Kingdom of Jordan

current events at cejiss.org

CEJISS Editorial Team

Jakub Marek – Executive Editor and Administrator [marek\[at\]cejiss.org](mailto:marek[at]cejiss.org))

Zuzana Buroňová – Book Review Editor ([buronova\[at\]cejiss.org](mailto:buronova[at]cejiss.org))

Editorial Board

Javaid Rehman (Brunel University, London, UK)

Ibrahim A. El-Hussari (Lebanese American University, Beirut, Lebanon)

Efraim Inbar (Begin-Sadat Centre for Strategic Studies, Israel)

Tanya Narozhna (University of Winnipeg, Canada)

Michal Romancov (Charles University Prague, Czech Republic)

Marat Terterov (Energy Charter Secretariat/European Geopolitical Forum, Brussels)

Yuliya Zabyelina (John Jay College of Criminal Justice, New York, USA)

Natalia Piskunova (Moscow State Institute of International Relations, Russian Federation)

Gary M. Kelly (Hetta Institute for International Development, New York, USA)

Ladislav Cabada (University of West Bohemia, Czech Republic)

Harald Haelterman (Ghent University, Belgium)

Petr Just (Metropolitan University Prague, Czech Republic)

Karel B. Müller (University of Economics, Czech Republic)

Suresh Nanwani (Australian National University, Australia)

Benjamin Tallis (Department of Politics at the University of Manchester, UK)

Caroline Varin (Regent's University, UK)

Tomas Pezl (University of West Bohemia, Czech Republic)

Milada Polisenska (Anglo-American University, Czech Republic)

Victor Shadurski (Belarusian State University, Belarus)

Salvador Santino F. Regilme, Jr. (University of Leiden, Netherlands)

Mils Hills (University of Northampton, UK)

Marek Neuman (University of Groningen, Netherlands)

Fikret Čaušević (University of Sarajevo, Bosnia and Herzegovina)

Francesco Giumelli (University of Groningen, Netherlands)

Adriel Kasonta

Takashi Hosoda (Metropolitan University Prague, Czech Republic)

Prem Mahadevan (ETH Zürich, Switzerland)

Jack Sharples (European University of St Petersburg, Russia)

Michal Kolmaš (Metropolitan University Prague, Czech Republic)

Vügar İmanbeyli (Istanbul Şehir University, Turkey)

Ostap Kushnir (Lazarski University, Poland)

Khalifa A. Alfadhel (University of Bahrain, Bahrain)

Joost Jongerden (Wageningen University, the Netherlands)

James Warhola (University of Maine)

Mohsin Hashim (Muhlenberg College)

Alireza Salehi Nejad (University of Tehran, Iran)

Pelin Ayan Musil (Anglo-American University, Czech Republic)

George Hays (Anglo-American University, Czech Republic)

Jan Prouza (University of Hradec Králové, Czech Republic)

Hana Horáková (Metropolitan University Prague, Czech Republic)

Oldrich Bures (Metropolitan University Prague)

Mats Braun (Metropolitan University Prague)

Vit Benes (Metropolitan University Prague)

Nsemba Edward Lenshie (Taraba State University, Nigeria)

Cinzia Bianco (Institute of Arab and Islamic Studies, University of Exeter, UK)

Ilya Levine (American University, Bulgaria)

Blendi Lami (European University of Tirana, Albania)

Petra Roter (University of Ljubljana, Slovenia)

Firat Yaldiz (Kastamonu University, Turkey)

Adam Reichardt (Jan Nowak-Jezioranski College of Eastern Europe / New Eastern Europe, Poland)

A. F. M. Maniruzzaman (University of Portsmouth, UK)

B. Geluvaraj (Garden City University, India)

Robin Ramcharan (Webster University, Thailand)

Gerald Power (Metropolitan University Prague, Czech Republic)

Victor Adetula (Nordic Africa Institute, Uppsala, Sweden)

David Darchiashvili (Ilia State University, Tbilisi, Georgia)

Oliver Boyd-Barrett (Bowling Green State University, USA)

George Vlad Niculescu (The European Geopolitical Forum, Belgium)

Tommi Koivula (Finnish National Defence University, Finland)

Zeray Yihdego (University of Aberdeen, UK)

Michael Breen (School of Social and Political Sciences, Australia)

Jonáš Vlk (European Security Journal, Czech Republic)

Lukáš Tichý (Institute of International Relations Prague, Czech Republic)

SCOPUS

CEJISS is a proud member of SCOPUS database

Scopus, the largest abstract and citation database of peer-reviewed literature, features smart tools to track, analyze and visualize research. Scopus delivers the most comprehensive overview of the world's research output in the fields of science, technology, medicine, social sciences and Arts & Humanities.

OPEN ACCESS

CEJISS is committed to Open Access ensuring that all our services remain free. **Open access** is the practice of providing unrestricted access via the Internet to peer-reviewed scholarly research. It is most commonly applied to scholarly journal articles, but it is also increasingly being provided to theses, scholarly monographs, book chapters, and entire books.

Link: <https://doaj.org/about>

Contents

Volume 12, Issue 4, December 2018

Editor's Analysis	10	What Lies Beneath? Understanding Euro-Indonesian Security Relations and Efforts to Build National Security <i>Mitchell Belfer</i>
Terrorism	16	Prevention of Radicalism and Terrorism in Indonesia Through Law Enforcement in Terrorism Law <i>Sugianto, Ahmad Rofi'i</i>
	35	Can the Concept of Terrorism Be Understood Objectively? <i>Arfin Sudirman, Nuning Kurniasih</i>
	48	The Use of Unmanned Aerial Vehicle to Support Counterterrorism in Indonesia <i>A Case Study at 51st Air Squadron in 2016-2018</i> <i>Afirus Nurul Fuadi, Widya Setiabudi Sumadinata, Dadan Suryadipura</i>
	61	The Virtual Jurisdiction to Combating Cyberterrorism in Indonesia <i>Danrivanto Budhijanto</i>
State Defense	82	Political Communication Between the House of Representatives and the Ministry of Defense in Discussing the Republic of Indonesia State Defense Policy <i>Yusa Djuyandi, Margynata Kurnia Putra, Haris Faozan</i>
	96	The Enactment of State Defense Awareness with the Synergy Conception Among Military, Government, and Civil Society <i>Study in Adi Soemarmo Air Base, Surakarta, Indonesia</i> <i>Eko Septiawan, Ari Ganjar Herdiansyah, Windy Dermawan</i>
	111	Authority of Military Police of the Indonesian Air Force in Handling National Airspace Boundaries <i>Nicolas Sinaga, S.H.</i>
	127	Synergy Between Regional Command Unit of Indonesian National Army (Tni Ad) and Local Government in Encouraging the Spirit of State Defense <i>Yusa Djuyandi, Arry Bainus, Widya Setiabudi Sumadinata</i>

- 144 Air Power Development Strategy to Maintain Indonesian National Security as the World Maritime Axis
A Study on the Air Territory of the National Air Defense Command Sector I
M. Miftahul Ghufron, Ari Ganjar Herdiansyah, Nuraeni
- 165 TNI Involvement Strategy on Determination of Defense Budget Policy in Legislative Institutions
Tri Nugroho, Arry Bainus, Wawan Budi Darmawan
- 180 Determining Strategy of the Indonesian Air Force Military Cargo Aircraft in Supporting the Global Maritime Fulcrum
Tofan Fajar Mulia, Widya Setiabudi Sumadinata, Windy Dermawan
- 196 The Implementation of the Triple Helix Model in the Indonesian Aerospace Defense Industry
Achmad Sugiono, Akim, Rizki Ananda Ramadhan
- 214 Border Area and National Security Issues
Junardi Harahap
- 224 Village Security Based Weapons and Plants
Junardi Harahap, R. Bambang Soediadi A.P, Ira Indrawardana
- 236 Obstacle Factor in Flight Safety and Security at the Air Force Base in Husein Sastranegara Airport Bandung Security
Muhammad Elang Ulul Azmi, Yusa Djuyandi, Akim
- 260 Anthropological Insights for the Study of Security Cases in National Threats over Social Media Usages in Indonesia
Dani Mohammad Ramadhan, Rina Hermawati
- 272 Adi Sutjipto Air Force Base Policy for Dealing with Non-Traditional Security Threats in Safeguarding Civil Enclave Area in Adisutjipto Airport Yogyakarta
Dian Bashari, Arry Bainus, Wawan Budi Darmawan, Karlina Aprilia Kusumadewi
- 294 Synergy of Sam Ratulangi Air Force Base and Regional Government in Flood Natural Disaster Management in Manado City
Erwin Dwi Koerniawan

	309	Food Security or Food Sovereignty? <i>Questioning the Paradigm of Indonesian Military Involvement in Agriculture</i> <i>Arry Bainus, Dina Yulianti</i>
	325	The Role of the Indonesian Air Force in the Prevention of Drug Smuggling in Halim Perdanakusuma International Airport <i>A Case Study</i> <i>Fajar Rosyadi, Rizki Ananda Ramadhan</i>
	338	Participatory Development Between Government and Local Social Movement to Increase Security for the Low-Income Communities in Bandung Barat, Indonesia <i>Rd. Ahmad Buchari, Budiman Rusli, Asep Sumaryana, Kurnia Muhamad Ramdhan</i>
	353	Guidance and Tightening of Remission for Narcotics Prisoners as a Countermeasure for Security Threats from Drug Dangers <i>Sujasmin</i>
	380	The Importance of Police Neutrality in Creating Democratic Election <i>Ratnia Solihah, Siti Witianti, Mustabsyrotul Ummah</i>
	396	The Implication of Mohammed Arkoun's Political Ethics in the Practical Politics <i>Muhammad Azhar</i>
	411	Natural Gas Allocation in Indonesia <i>Administrative Law Perspective</i> <i>Zainal Muttaqin, Adrian E. Rompis, Amelia Cahyadini, Rafika Fajriati Nastiti</i>
	427	Synergy of National Leadership to Strengthen State Diversity and Integrity of the Republic of Indonesia <i>Sugianto</i>
Foreign Policies	450	Model of Pro-People Foreign Policy as Indonesia's Response Toward Better Citizen Protection <i>Asep Setiawan, Endang Sulastri, Sumarno</i>

- 473 Reconciling Refugee Protection and Sovereignty in ASEAN Member States
Law and Policy Related to Refugee in Indonesia, Malaysia and Thailand
Bilal Dewansyah, Irawati Handayani
- 486 International Cooperation to Surpress Transboundary Corruption in Indonesia
Nella Sumika Putri
- 500 Legal Higher Education in Indonesia in Facing ASEAN Economic Community Law and Economics
Pan Lindawaty Suherman Sewu
- 511 Horizontal Consistency of the Settings of the Exception in Carrying Out a Notary's Official Pledge
Agus Setiawan
- 522 Religious-Cosmic Based Philosophical Foundation of Environmental Development Law in Sundanese Local Wisdom
Mella Ismelina Farmas Rahayu, Anthon F. Susanto, Liya Sukma Muliya
- 536 Use of Non-Disclosure Agreement as Legal Protection in Trade Secrets to Investment Security
Ranti Fauza Mayana Tanwir, Daniel Hendrawan
- 547 The Force of Strategic Infrastructures
The Role of Public-Private-Partnership to Strengthen Sustainable Developments in Indonesia
Prita Amalia, Danrivanto Budhijanto
- 564 Legal Certainty in the Use of Certification of Trustworthiness by Indonesian E-Commerce Business
Muhamad Amirulloh, Vidya Noor Rachmadini
- 576 The Corruption Court in Indonesia
History and Development
Elis Rusmiati, Nella Sumika Putri, Ijud Tajudin
- 586 Privacy: An Overview of Indonesia Statutes Governing Lawful Interception
Sinta Dewi

- 598 Legal Aspects of Asset Valuation on Copyright as Part of
Boedel (Countable-List) in the Process of Bankruptcy in
Indonesia Following the Latest Copyright Law Act No.
28/2014
Christian Andersen
- 609 Juridical Review of Mastering and Utilization of Land Rights
Based on Land Letters (Skt) Connected with Mining Business
Licenses (Iup) Based on Law of Number 4 the Year 2009
Regarding Mineral and Coal Mining
Daniel Hendrawan, S.H., M.Hum, Yelma Nomida Alvisalia, S.H.

Legal Higher Education in Indonesia in Facing ASEAN Economic Community

Pan Lindawaty Suherman Sewu

Background of the Study

The society's need for law in the modern era is increasing; therefore, the need for Law graduates is increasing as well. Professions in the field of law are professions that appeal to many people in Indonesia. One of the reasons is because this profession is considered a profession with an income that belongs to the highest five income in Indonesia.

One of the important aspects of realizing ASEAN Economic Community is the law aspect. Legal higher education becomes an essential supporting element in producing law experts.

Legal higher education in Indonesia as well as in other ASEAN countries must prepare themselves in the era of ASEAN Economic Community. This must be done because the law systems which are applied in the ASEAN countries are different from one another^{1,2}. The law applied in one country is definitely different from that in another country. This will cause a particular problem in the era of the ASEAN Economic Community.

Problems

Various life aspects, such as sciences, politics, law, economics, socio-culture should be carefully observed in the application of the ASEAN Economic Community. The law aspect is one essential element in making a strong country³. It is time that law problems should be given a serious attention from each ASEAN country. How do we solve the different law systems in the ASEAN countries? This ought to be seriously taken into account by legal higher education in preparing the graduates to be able to give their contribution to the community. The



Pan Lindawaty Suherman Sewu. Legal Higher Education in Indonesia in Facing ASEAN Economic Community. *Central European Journal of International and Security Studies* 12, no. 4: 500–510.

© 2018 CEJISS. Article is distributed under Open Access licence: Attribution - NonCommercial 3.0 Unported (cc by-nc 3.0).

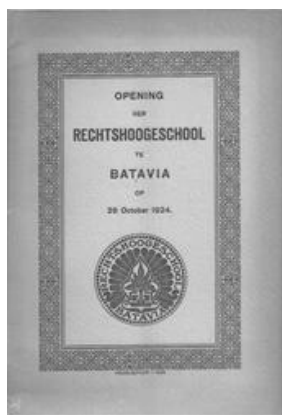
legal higher education always contributes to the existence of a peaceful and prosperous ASEAN community⁴. Hence, it should be considered what kind of legal higher education which can make universities produce graduates that are ready for the ASEAN Economic Community.

Pan Lindawaty
Suherman Sewu

Discussion

At the beginning the legal education in Indonesia was known in 1909, marked by the establishment of *Rechtsschool* (Law School) by the general governor J. B. van Heutsz and it was operated based on such law as *Reglement voor de Opleiding voor Inlandsche Rechtskundigen* (Regulatory for the School of the Local Law Experts), issued in Stb. No. 93/1909.

Rechtsschool is not a university, but of the same level as a vocational high school, or to be more precise, it is the merging of 3 years of junior high school and 3 more years of vocational high school. Based on *Ethische Politiek* and Dutch economic development, which forced the Dutch government to open its colonies for private investment, the establishment of *Rechtsschool* was intended to educate Indonesian people to become *Landraad* judges that were in the daily trials (first level) for the local people and those who were equal. Therefore, the purpose of education was to produce technicians or experts in law (educated)^{5,6}. Yet, the meaning and political purpose of the establishment of *Rechtsschool* basically is for the sake of the Netherlands in keeping peace and order (*rust en orde*) in its colony so that it was good for investment and industry development.⁷



Booklet of the establishment of *RH te Batavia*⁸

The Law School in Jakarta (*Rechtshoogeschool te Batavia*) was founded on 28 October 1924 the Dutch East Indies. The Constitution of Education/Higher Education in the Dutch East Indies is called *Hooger Onderwijs Wet 1924 Ordonnantie* 9 October 1924 No. 1 (Stb. No. 457/1924), which becomes the first base of the arrangement of the legal higher education in Indonesia.



Law School in Jakarta⁹

In brief, the constitution sets the materials given in the education of bachelors of law in RHS Batavia, which are:

1. *Inleiding tot de rechtswetenschap* (Introduction to Law Science);
2. *Staatsrecht van Ned.-Indie in Verband met at van Nederland* (State Administration Law in the Dutch East Indies);
3. *Ned. -Indisch Burgerlijk Recht en Burgerlijk Procesrecht* (Civil Law and Civil Procedure Law in the Dutch East Indies);
4. *Ned-Indisch strafrecht en strafprocesrecht* (Criminal Law and Criminal Procedure Law in the Dutch East Indies);
5. *Adatrecht* (Adat Law);
6. *Mohammedans Recht en instellingen van den Islam* (Islamic Law and its institutions);
7. *Ned.-Indisch handelsrecht* (Trade Law **Error! Not a valid link.**);
8. *Sociologie* (Sociology);
9. *Staatshuishoudkunde* (Economic Development Studies);
10. *Volkunde van Ned-Indie* (Ethnology in the Dutch East Indies);
11. *Melech* (Malay Language);
12. *Javaansch* (Javanese Language);
13. *Latijn* (Latin Language);
14. *Wijsbegeerte van het Recht* (Law Philosophy);
15. *Beginnelsen van het romeinsch privaatrecht* (Roman Civil Law Principles);
16. *International privaatrecht* (International Civil Law);
17. *Intergentiel recht* (Intergroup Law);
18. *Criminologie* (Criminology);
19. *Psychologie* (Psychology);
20. *Gerechtelijke feneeskunde* (Forensic Medicine);

21. *Volkenrecht* (International Law);
22. *Buitenlansch colonial Recht* (Colonial Law of Other Countries);
23. *Geschiedenis van Ned.-Indie* (History of the Dutch East Indies);
24. *Statistiek* (Statistics).¹⁰

Up to now the curriculum of legal higher education has undergone a number of system changes since RHS Batavia was founded. Indonesian higher education had a new system in about 1982 when the credit system was first applied. Before this, what was applied is that the whole year of learning with all the subjects in that level have to be retaken even when only one subject fails. This is different from the semester credit system; for example, if one subject with 3 credits gets an E, the student has to retake that particular subject only. He or she does not need to retake all the subjects in that semester. This, of course, causes a positive impact because students will only need to retake one subject and not all the subjects.

At the moment the system of legal higher education encourages the active participation from students. Students become the centre of the teaching and learning activities, while teacher only serves as facilitators and tutors. At present the curriculum that is being applied in Indonesia is the Indonesian National Qualification Framework (INQF).

In 2012 with the Presidential Decree Number 8 of 2012 About Indonesian National Qualification Framework which is further elaborated in the Ministerial Regulation of the Minister of Education and Culture Number 73 of 2013 About The Application of the Indonesian National Qualification Framework of Higher Education, a teaching system of the Indonesian National Qualification Framework is set. Article 1 number 1 of the Presidential Decree Number 8 of 2012 gives the definition of INQF as a framework of the levels of competence qualification which can pair, equalize, and integrate the education and work training and work experience in giving the recognition of work competence which is in line with the work structure in various sectors.

INQF consists of 9 (Nine) levels of qualification; levels of qualifications are levels of learning targets nationally agreed upon, which are arranged based on the measurement of education results and/or training gained through formal and informal education, or work experience.

Bachelor level is expected to be equal to level 6, in which the graduates must:

- a. Be able to apply their areas of expertise and make use of Science, Technology and Arts (STA) in their fields in problem-solving as well as adapt themselves at any situation faced;
- b. Master the theoretical concept in a particular science in general and the specific theoretical concept in that science in an elaborative way, and able to formulate the procedural problem solving;
- c. Be able to make the right decision based on information and data analysis, and able to give directions in selecting various alternative solution independently and in groups;
- d. Be responsible for their work and able to be in charge of the organizational work target fulfilment.¹¹

University graduates who have the past learning recognition (PLR) are equalized to the profession or equal to level 7. Universities can become the PLR organizers as long as they meet the regulations and criteria for that based on the regulations of Ministerial Regulation of Education and Culture About INQF of Higher Education.

In order that higher education, especially legal higher education, can organize a legal higher education, there are several aspects to pay attention to, namely: academic aspect, aspects of terms and criteria arranged in various regulations, soft skill aspect. If all the aspects are seriously paid attention to by the higher education of law organizers, the graduates of law are expected to have good academic qualifications, be accepted by the market because of good work skills, and have good character. In the end, it is expected that graduates with that kind of profile can compete in the local, national, regional, and even international markets.

Legal higher education in Indonesia must seriously attend to this because since early 2015 the ASEAN Economic Community has been implemented in ASEAN countries.

The establishment of ASEAN Economic Community was done by country leaders of ASEAN¹² as mentioned in the Declaration of ASEAN Concord II in Bali, Indonesia, on 7 October 2003. As the follow up of the declaration in Bali, the blueprint of ASEAN Economic Community was made in Singapore on 20 November 2007. The content of the blue print declaration of the ASEAN country leaders is quoted below:

“We, the Heads of State/Government of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People’s Democratic Republic, Malaysia, the Union of Myan-

mar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member Countries of ASEAN.

Recalling our earlier decision to establish by 2020 the ASEAN Community, including the ASEAN Economic Community (AEC), made in the Declaration of ASEAN Concord II in Bali, Indonesia, on 7 October 2003;

Determined to achieve higher levels of economic dynamism, sustained prosperity, inclusive growth and integrated development of ASEAN;

Conscious of the increasing interdependence of the ASEAN economies within the region as well as with the rest of the world and stressing the importance of narrowing the development gap for accelerating the ASEAN Economic Community by 2015;

Recognising that different levels of development within ASEAN require some flexibility as ASEAN moves towards a more integrated and interdependent future;

Reaffirming our collective commitment, made at the 12th ASEAN Summit in Cebu, the Philippines, on 13 January 2007, to accelerate the establishment of the ASEAN Community, including its AEC pillar, to 2015;

Cognisant of the need to have a strengthened institutional framework and a unified legal identity as set forth in the ASEAN Charter by putting in place rule-based systems to realize the establishment of the AEC by 2015;

Expressing satisfaction at the overall progress made and commitment shown by ASEAN in developing the AEC Blueprint and to ensure its timely implementation;

Reaffirming the ASEAN Economic Ministers (AEM) as the coordinator of all ASEAN economic integration and cooperation issues.

DO HEREBY:

1. ADOPT the AEC Blueprint which each ASEAN Member Country shall abide by and implement the AEC by 2015. The AEC Blueprint will transform ASEAN into a single market and production base, a highly competitive economic region, a region of equitable economic development, and a region fully integrated into the global economy. The AEC

*Pan Lindawaty
Suherman Sewu*

Blueprint including its strategic schedule is annexed to this Declaration.

2. TASK concerned Ministers, assisted by the ASEAN Secretariat, to implement the AEC Blueprint and to report to us regularly, through the Council of the ASEAN Economic Community, on the progress of its implementation.

DONE in Singapore on 20 November 2007, in a single copy, in the English language.”¹³

The declaration of ASEAN country leaders in 2007 is the task of all ASEAN member countries in order to implement the ASEAN Economic Community by 2015. Half a year before 2015 the homework of the leaders of the ASEAN countries also becomes the homework of Indonesia as a member country of ASEAN. Furthermore, the homework of Indonesia becomes the homework of all Indonesian people. The community of the higher education of law in Indonesia cannot ignore the implementation of the ASEAN Economic Community in 2015.

The implementation of the ASEAN Economic Community in various areas of life will begin; the law becomes the pillar which will arrange how the implementation of the ASEAN Economic Community will run smoothly and orderly. The law holds a very important role; the law becomes the means to be able to implement well the ASEAN Economic Community. Harmonization of law in the ASEAN countries must be done.

Harmonization of law done in the ASEAN countries at least leads to a question: how does legal higher education respond to this? The good law must also be supported by good legal higher education. How is the readiness of the legal higher education in Indonesia in facing the ASEAN Economic Community? What should be done by the legal higher education in Indonesia?

Conclusion

The ASEAN Economic Community in 2015 definitely will give a significant impact in various life aspects for ASEAN member countries; an impact that will significantly be felt is in the law aspect. ASEAN member countries have varieties in the development level of economic, political, social, and law system aspects. This fact will cause particular problems in the effort of harmonizing the law of the member countries of ASEAN.

This also roots in the varieties of legal higher education in the ASEAN member countries, both in the law system and the curriculum.

The following description gives a picture of the number of legal higher education in some ASEAN countries, namely Indonesia, Singapore, and Malaysia. There are more than 200 (two hundred) faculties of law in Indonesia, consisting of 27 state universities¹⁴; the data does not cover the number of legal higher education organized by private universities.

*Legal Higher
Education in
Indonesia*

Up to July 2016, Singapore has 1 (one) legal higher education, which is in *National University of Singapore*. In August 2006, Singapore Management University has the legal permission from the Singapore government to organize the legal higher education.¹⁵

In Malaysia there are 6 (six) state institutions of legal higher education, namely Malaya University, National University of Malaysia, International Islamic University of Malaysia, MARA Technology University, Malaysian Northern University, University of Sultan Zainal Abidin, Malaysia Science and Islamic University; besides Malaysia also has legal higher education organized by private universities collaborated with legal higher education of both the United Kingdom and Australia.¹⁶

The various organizers of legal higher education and the law systems in ASEAN countries will surely produce the varieties of the curriculum structures and the varieties of the arrangement of the law practices in each country.

Based on the fact about the varieties of the ASEAN countries, there are some ideas proposed by some law experts in several ASEAN countries that may be able to be done in responding to the 2015 ASEAN Economic Community.

Tan Cheng Han, a professor and the dean of the *Faculty of Law, National University of Singapore*, in his paper entitled *Legal Education in ASEAN* states that law comparison should be taught in the legal higher education. The teaching of law comparison should increase the collaboration between the existing legal higher education and it should increase the collaboration among lecturers in many countries. Moreover, Tan Cheng Han conveys his ideas of the enrichment of the teaching methods and students' evaluation. The teaching of law is not delivered in the traditional one-way method, but it can also be delivered with the discussion method in groups, seminar, and assignment. The evaluation is based on tests, group work, active partic-

ipation, class presentation, and a take-home examination. This is so in order that the teachers in the legal higher education can keep on learning, improve their teaching techniques, and make the teaching focus into how students can learn well, participate actively, understand the teaching essence better.

Zuhairah Ariff Abd. Ghadas¹⁷ proposes that in order to harmonize the legal higher education in ASEAN, there are some things that can be done:

1. Increasing the knowledge of the law systems in ASEAN countries. The material must be given to law students in higher education when they study the international law material.
2. Having some training of the comparison of law in ASEAN countries.
3. Organizing annual meetings for the deans of the faculties of law in ASEAN countries.
4. Having collaboration in researches in analyzing the law issues in the perspective of ASEAN countries, through professor and student exchange programs.
5. Actively doing collaborations with various institutions.
6. Initiating a consortium of ASEAN legal higher education.
7. Through technology doing some collaboration of teaching programs.
8. Eliminating the language barrier as the primary language used for communication among lawyers in ASEAN is the English language.

Furthermore, Sanjeevi Shanthakumar¹⁸ contributes his ideas about the things that should be done by ASEAN countries in responding to the ASEAN Economic Community. There are some things conveyed, namely: *Creation of an ASEAN Institute for Harmonization of Laws, Networking of Law Schools, Identifying Communalities, Preparing and Publishing Restatements, Conducting Stakeholder Consultations, Conduct a 360¹⁴, Preparation of model laws.*

Hikmahanto Juwana, a professor of the Indonesian law, conveys his idea that reflecting and learning from the European Economic Community, which has done the law harmonization, it seems difficult to be applied due to the varieties in many aspects possessed by ASEAN member countries. What appears to be able to be harmonized in the law area is the business and economic law, such as tax law, banking law, investment law, bankruptcy law, and insurance law.

The writer is of the opinion that the ideas that have been mentioned above are good and become the basic contemplation of the community of higher education in ASEAN countries. There are several things that should be done immediately, for instance: institutionally making the issue of the ASEAN Economic Community as one thing responded to with an improvement, the law lecturers' improvement of teaching methods, having the curriculum evaluation, doing collaboration with other institutions of higher education of law both in Indonesia and the other ASEAN member countries, improving the foreign language competence of the faculty staff as well as the students, and accommodating the subject of Law Comparison in ASEAN Countries. Hence, law harmonization in ASEAN through higher education of law becomes one of the ways to support and strengthen the ASEAN Economic Community.

Pan Lindawaty
Suherman Sewu

Notes

- 1 Chong, CY and Lee T S (2017), 'Employee retention and job performance attributes in private institutions of higher education,' **International Journal of Business and Administrative Studies** 3(5), p. 158-165.
- 2 Mughal Mohamed Sameer, Ross Andrew D, Fearon Damian J (2017), 'Development needs of middle managers in higher education institutions: A case study of a Post 1992 New University in UK,' **International Journal of Business and Administrative Studies** 3(6), p. 239-259
- 3 Le QA (2016), 'The impact of globalisation on the reform of higher education in Vietnam,' **International Journal of Business and Economic Affairs** 1(1), 29-35.
- 4 Gatpandan MP and Ambat SC (2017), 'Implementing knowledge discovery in enhancing university student services portfolio management in higher education institutions,' **Journal of Advanced Research in Social Sciences and Humanities** 2(4), p. 211-220.
- 5 Khan, AH (2017), 'Globalisation and higher education in Pakistan,' **Journal of Advanced Research in Social Sciences and Humanities** 2(4), p. 270-276
- 6 Jacolbia RB (2016), 'Future educators' perceptions on technology and livelihood education status and development of work skills,' **Journal of Advances in Humanities and Social Sciences** 2(2), p. 85-91.
- 7 Mardjono Reksodiputro (2004), 'Reformasi dan Reorientasi Pendidikan Tinggi Hukum di Indonesia,' Jakarta. Team of Researchers of the National Law Commission, as quoted by Wikipedia Indonesia in <Id.wikipedia.org/wiki/Rechtshoogeshool_te_Batavia> accessed on, Saturday, 3 June 2017 at 17.00.
- 8 *Opening der Rechtshoogeshool te Batavia* op 28 October 1924. <<http://www.deslegre.com/boek//opening-der-rechtshoogeshool-te-batavia-op-28-october-1924/>> in <Id.wikipedia.org/wiki/Rechtshoogeshool_te_Batavia> accessed on, Saturday, 3 June 2017 at 17.00
- 9 <Id.wikipedia.org/wiki/Rechtshoogeshool_te_Batavia> accessed on, Saturday, 3 June 2017 at 17.00.

- 10 Read further in *Hooger Onderwijs Wet 1924 Ordonnantie* 9 October 1924 No. 1 (Stb. No. 457/1924).
- 11 Policy of Directorate General of Higher Education About Indonesian National Qualification Framework and LPTK Curriculum Direction, Directorate General of Higher Education of the Ministry of Education and Culture, 2011.
- 12 The ASEAN countries which signed the agreement in ***Declaration of ASEAN Concord II*** in Bali, Indonesia, on 7 October 2003, are: Brunei Darussalam, Cambodia, Indonesia, Lao, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Viet Nam.
- 13 ASEAN Economic Community Blueprint, Directorate General of ASEAN Cooperation Department of Foreign Affairs RI, 2009.
- 14 Hikmahanto Juwana, *Teaching International Law in Indonesia*, SJICL 412, 2001, p. 413.
- 15 Tan Cheng Han, S.C. is Professor and Dean, Faculty of Law, National University of Singapore, last downloaded in Bandung, 08 August 2017.
- 16 Zuhairah Ariff Abd. Ghadas, Faculty of Law and International Relation Universiti Sultan Zainal Abidin, in *International Conference*, with the theme “*Harmonizing ASEAN Legal System Through Legal Higher Education The Malaysian Perspectives*”, organized by Universitas Esa Unggul, UPN “VETERAN”, Jakarta Islamic University, Jakarta, 11 June 2014.
- 17 Zuhairah Ariff Abd. Ghadas, Faculty of Law and International Relation Universiti Sultan Zainal Abidin, dalam *International Conference*, with the theme “*Harmonizing ASEAN Legal System Through Legal Higher Education The Malaysian Perspectives*”, organized by Universitas Esa Unggul, UPN “VETERAN”, Jakarta Islamic University, Jakarta, 11 June 2014. – the main points of the paper are translated and summarized by the writer.
- 18 Sanjeevi Shanthakumar, Director of ITM, University Law School, India, in *International Conference*, with the theme “*Harmonizing ASEAN Legal System Through Legal Higher Education. The Malaysian Perspectives*”, organized by Esa Unggul University, UPN “VETERAN”, Jakarta Islamic University, Jakarta, 11 June 2014.