

## Chapter 4

# A Normative Juridical Study of Internationalization of Indonesian Higher Education Institution

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### **ABSTRACT**

*Internationalization is an emerging trend in the development of higher education institutions (HEIs). Around the world, several projects and university associations and collaborations are launched to enhance internationalization including in Indonesia. For Indonesia, internationalization is an inevitable process and considered as a strategic step that Indonesian government should take in the globalizing world, especially after the ratification of the General Agreement on Trade in Services (GATS) by the government in 1994. Since then, the Government of Indonesia revises and produces policy and statutory regulations to promote international education in Indonesia and guarantee a good practice of integration of international dimension. Although many studies have been conducted to analyze this trend, very few studies focus on the legislations support for internationalization. For this purpose, the authors analyze the regulation with a normative juridical approach.*

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## **INTRODUCTION**

### **Background**

Internationalization is an emerging trend in the development of higher education institutions (HEIs). It has become the goal of many academic presidents, rectors, or vice-chancellors. Around the world, projects, university associations, and collaboration programs are launched to enhance the internationalization of higher education institution, such as China 211 Project, Brain Korea 21 Project, and Japan's Global 30 Project, NAFSA: Association of International Educators in U.S.A., and Spanish Agency for International Cooperation (AECI) in Latin America (Foskett, 2010; De Witt & Callan, 1995; Teichler, 2005). A study by Henard, Diamond, and Roseveare (2012) on the perceptions and experiences of the members of the OECD Higher Education Programme (IMHE) towards internationalization revealed that both HEIs and government consider internationalization a significant factor for development. They believe that it will lead to innovation, modernization of the pedagogy, collaboration, and stimulation of new approaches to learning assessment.

According to Jane Knight (2008), internationalization is a process of integrating international, intercultural, or global dimension into the purpose, functions, or delivery of higher education at the institutional and national level. It is an ongoing and continuous readjustment of the system (Knight, 2004; Luijten-Lub, 2007) and a change of internal dynamics of a HEIs (Ellingboe in Bartell, 2003) to internalize international dimensions. With the increasing attempts for internationalization, more and more higher education institutions implement international activities such as improving the standards of educational delivery to international level, promoting international linkages through research, academic mobility for students and staffs (Oyewale, 2009), encouraging international participation, and reducing curricular parochialism (Mauch & Spaulding, 1992). The result of internationalization is to enable HEIs to be responsive to the challenges put forward by globalization as well as to enrich the competitive advantage and survive the global competition.

Universities in Indonesia also embark on internationalization. According to Ainun Na'im, a Secretary-General for Higher Education at Ministry of Education and Culture (Humas UGM, 2009), internationalization is an inevitable process and considered as a strategic step that Indonesian government should take in the globalizing world, especially after the ratification of the General Agreement on Trade in Services (GATS) in 1994. Following, the Government of Indonesia revises and produces policy and legal documents to promote international education in Indonesia, to guarantee a good practice of mobility, and to support the balance of outbound and inbound students. Law Number 20 of 2003 on National Education System<sup>1</sup> sets the purpose of education system as to create quality, relevant, and globally competitive education for the betterment of Indonesian society. To achieve this goal and to cope with the challenges presented by globalization, the government upgrades the standard of national education and adapts to international standard. Consequently, in 2005 the government produces Government Regulation Number 19 of 2005 on National Standard of Education<sup>2</sup>. The regulation emphasizes that global environment should be taken into account in creating the standard of national education (Article 2), establishment of internationally-oriented secondary education in each province in Indonesia and one international higher education institution is necessary (Article 61), and 3) educational institutions will be evaluated in term of their performance at global level (Article 83).

To support the implementation of internationalization agenda, the government produces Higher Education Long Term Strategy (HELTS) and the Ministry of National Education Strategic Plan 2010-2014

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