

FLOOD MANAGEMENT IN JAKARTA: RECONSTRUCTION OF JABODETABEK EIGHT PRIORITY WATERSHED REGULATIONS

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ABSTRACT

Proper management of watersheds is one of the steps to deal with floods in Jakarta. This study aims to reconstruct the regulations of eight priority watersheds in Jakarta, Bogor, Depok, Tangerang, and Bekasi (Jabodetabek). This research used an empirical/non-doctrinal research method. The result of this research is the reconstruction of integrated watershed management regulations towards green governance. Regulatory reconstruction emphasizes integrated watershed management to realize one river one plan and one management policies and 2) Institutional enhancement and empowerment of the Jabodetabek watershed forum

Key words: Flood, Priority Watershed, Integrated Watershed, Green Governance, Jabodetabek

INTRODUCTION

Physically, the watershed is a stretch of an area bounded by a natural barrier (ridge) which functions to receive and collect rainwater, sediment, and nutrients and then flow it through the main river which will come out at one outlet point (Kartodihardjo et al., 2004). Watershed can provide benefits to various sectors of life. For this reason, watershed management must be carried out based on the principle of resource sustainability that combines the principles of productivity and conservation of natural resources in a balanced manner. The implementation of these two principles is intended to achieve maximum watershed management objectives (Asdak, 2004).

On the other hand, incorrect watershed management will cause harm to the community and the environment. The Ciliwung Watershed is one of the watersheds that influence the occurrence of flooding in Jakarta. The Ciliwung Watershed crosses two provinces, namely West Java and DKI Jakarta. The area in the upper reaches of the Ciliwung watershed covers the area of Tugu Puncak, Bogor Regency, while in the downstream part is Jakarta Bay. Until now, development activities in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, both upstream and downstream, have been intensively carried out. In line with this, the population growth around the Ciliwung watershed is also quite high. Therefore, development activities in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek tend to decrease the land's ability to absorb water and protect the soil from erosion. This, in turn causes high surface water runoff (Nurhidayah & Karjoko, 2017).

Floods in Jakarta, decreasing river water quality, landslides, and drought are indicators of failure to manage natural resources that should provide public benefits. Various responses have emerged regarding the negative impact of resource management in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, particularly in Jakarta. The responses have resulted in many recommendations and program formulations aimed at solving problems of integrated watershed management and flood control. However, the results of the review of various recommendations for programs that have been, are being, or will be implemented by stakeholders, still show weak synergies, both at the policy level and at the operational level.

Most of the recommendations and programs are still macro in nature and have not been linked to the root causes of flooding, and have not considered the characteristics of the upstream, middle, and downstream watersheds. This has resulted in the implementation of programs and activities that have not focused on efforts to solve real problems in the field. The planning processes for policies and programs also do not follow public processes. Meanwhile, to improve coordination and continue the communication process between stakeholders, it is necessary to have initiatives from the stakeholders themselves (Handayani, 2013a).

Therefore, to realize the integration of programs, activities, and funding, an Integrated Plan for the Management of Ciliwung Watershed Resources and the Eight Priority Watershed in Jabodetabek is needed which is formulated in a participatory manner. This means that it involves stakeholders, both from the government bureaucracy who will act as facilitators, actors both in the business community and individuals, as well as academics and observers. This integrated participation is intended to formulate strategies in the form of policies and programs/activities. The formulated strategy is then mutually agreed upon based on the unique characteristics of natural resource conditions, namely air, soil, and the rocks that comprise it, vegetation, animals, human resources (human capital). In this case, human resources include formal and informal community institutions (social capital), as well as artificial resources (man-made capital)

Through the Integrated Watershed Management Plan, it is hoped that there will be increased integration between the parties involved in the management of watershed resources. This plan can work well if it can provide engagement in its implementation. Indonesia as a rule of law country will always face the same demands, namely the need to formulate an enforceable environmental policy. Therefore, the formulation of a legal construction model for the drafting of an Integrated Watershed Management Regulation in the context of developing good governance practices in the central and regional governments needs to be established. This takes into account the strengthening of the executive roles of Ministry of National Development Planning/ Agency for Regional Development., Ministry of Forestry, to members of The House of Representatives/ Regional House of Representatives.

Legal drafting of Integrated Watershed Regulations is directed at strategies, mechanisms, empowerment of potentials, and improvement of regulatory drafting procedures to pay attention to watershed preservation.

Fostering human activities in the use of watersheds is intended to raise and increase human awareness, willingness, and ability so that they can participate actively in the management of natural resources. (Mitchell et al., 2016). Furthermore, it is to achieve maximum and sustainable benefits in watershed management. The success of watershed conservation is ultimately determined by the users and owners of the land themselves. In this case, motivation is needed so that landowners and users feel obliged, willing, and able to carry out soil conservation in the context of watershed management (Nerbas, 1992).

RESEARCH METHODS

This type of research uses empirical or non-doctrinal juridical methods which are intended as an attempt to approach the problem under study with the nature of the law following the realities of life in society. The approach used is sociological/empirical using a non-positivistic approach (Marzuki, 2011). The nature of this research is descriptive developmental which provides a systematic description of the object under study. Furthermore, a model is prepared that can be developed to solve problems in the field. This research approach uses a qualitative research approach. Quoting the opinion of Denzin and Lincoln, explaining that qualitative research is research that uses a natural background, which aims to interpret the phenomena that occur (Moleong, 2005).

The research location includes the Jabodetabek area which was taken with the consideration that the area is included in the category of Corridor 2. Category 2 is the Java corridor as a driving force for National Industry and Services and is traversed by 8 priority 1 watersheds that need to be restored, namely: Angke-Pesanggrahan Watershed, Krukut Watershed, Jabodetabek Watershed, The Buaran watershed, the Sunter watershed, the Cakung watershed, the Cisadane watershed, and the Bekasi watershed. The data used in this study include primary data and secondary data. Primary data, namely data obtained from direct or first-hand data sources, especially those concerning aspects of behavior, perceptions, attitudes, and executive and legislative motivation in drafting Perda. While secondary data, namely data that the researcher does not collect by himself, this data can be in the form of reports, journals, magazines, etc.

DISCUSSION AND RESULT

a. The Jakarta Flood Problem and Its Effects

Current and future problems in the management of the Ciliwung Watershed and the Eight Priority Watershed are one of the bases for determining appropriate management actions. Likewise, the objectives to be achieved by all stakeholders in it also determine the choice of a management plan. In general, a long-term management plan is based on a formulated will/desire in a vision and mission. However, in this plan, the emphasis is placed on the objective of overcoming existing problems and anticipating problems that will arise in the future.

Therefore, knowledge and understanding of problems in the management of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek are the main basis for determining the action plan for the next five years. To provide a complete understanding of the problems that exist in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, this section will first explain the formulation of problems in both the biophysical, social, and institutional aspects. After the existing problems can be mapped and assessed for their importance, then management plans can be determined in both the biophysical, social, and institutional aspects. Furthermore, it can be compiled with a timeline of the action plan, location of management, parties, technology options, and financing.

Failure to understand the problem map will create doubts and difficulties in program design. In addition, the failure to formulate the root of the problem also has implications for program results that are not as expected. However, in reality, there are many program ideas or initiatives that have been developed that do not take into account the problem map. Programs are designed in a micro/sectoral, or reactive way. Several issues regarding the management of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek with these errors often appear to the public. For example, floods in Jakarta from year to year tend to get bigger and worse due to something that is beyond control, namely climate change. This can be identified as a skeptical attitude to think that flooding is something that cannot be controlled and is considered a routine disaster that must be accepted as fate.

The idea of building dams and canals is fundamental and urgently needs to be realized. In fact, there are many other options for flood control apart from dams and canals which are lower risk and cost and have an immediate effect but require continued community involvement. The two examples of issues above are one of the reasons why we need to examine and review the Action Plan. This is important to confirm and make sure that the program created refers to the root of the problem. Furthermore, the program is detailed up to the operational description stage. I Gusti Ayu (2013) mentions several reasons for the failure of the management of the Jabodetabek watershed, including (Handayani, 2013b):

- 1) The watershed management planning system is still partial/not yet integrated; management is still sectoral; the process of formulating regulations/policies management is less participatory, and management regulations/policies do not have strong legal force, and are less effective and efficient;
- 2) Institutions in watershed management are still sectoral, each unit works based on its interests; there is no clear division of tasks, functions and work mechanisms; Besides that, the watershed forum has been formed but has not been able to work effectively;
- 3) The implementation of activities in the field tends to be sectoral ego. Policies made by local governments tend to exploit watershed natural resources to increase local revenue. Meanwhile, the conservation and rehabilitation of watersheds in Jabodetabek "rely" on the Government. Watershed environmental services have not been utilized properly;
- 4) There is no coordination and information exchange between institutions. Supervision and control have not involved the community much so that their implementation is not consistent.

The following overview of the many aspects is a consideration and / or input to carry out an objective and rational analysis and simulation of the detailed action plan program so that it can be an answer to the root of the problem. The results of problem analysis and compilation of various workshops and FGDs in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek resulted in 18 main problems that were the causes and impacts of watershed management. The main problems include biophysical conditions (10 problems), socio-economic conditions (4 problems), and institutional conditions (4 problems).

Biophysical problems are generally related to exploitative cultivation techniques, land use change, high erosion and sedimentation, garbage and sewage, inappropriate drainage capacity, non-functioning irrigation infrastructure, silting and narrowing of drainage channels/rivers, high runoff, and floods (Karjoko et al., 2017). According to Asdak (1999), the biophysical relationship in the upstream-downstream area of the watershed needs to be a concern, including regarding effective institutions so that they can reflect the linkages of the biophysical and socio-economic environment in which the institution works. Apart from that, externalities as a positive or negative impact of a program/policy are felt outside the area where the program/policy is implemented.

Socio-economic problems include human resource competence, population growth, land ownership and community health & comfort. Meanwhile, institutional problems include low institutional capacity, lack of coordination between related institutions, weak and consistent control and law enforcement functions, and unstable spatial planning (Handayani et al., 2017). Basically, humans have an intense influence on the environment. Therefore, the role of humans in environmental balance is important to be directed to provide awareness of the obligation to preserve and harmonize the environment (Handayani, 2012).

Furthermore, social problems in the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek are divided into two. This division is based on the location or existence of the watershed because in each part there are different social problems. The two parts are the upstream part of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek and the mid-downstream part. In the upstream part of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, most of the problems arise from the use of existing land which is dominated by direct utilization of natural resources, especially agriculture, plantations and forestry. Whereas in the middle-downstream part, it consists of areas where most of the land use is more dominant as a built-in statue, both for housing, the service sector and industry.

The results of the mapping of the 18 existing problems are then analyzed in a chain of problems to quantify the relationship between these problems. This relationship explains the situation and conditions of cause and effect between problems, so that it can be seen the relevance of one problem to another. The process of quantifying the relationship between these problems is carried out proportionally based on the distance of influence and influence between problems so that the root of the problem which is the biggest cause of the other problems can be found. If it is known the proportional scale of the problem, a priority for handling the problem can be arranged according to the biophysical, institutional and socio-economic aspects.

b. Reconstruction of Integrated Watershed Regulations towards Green Governance

The main characteristics that the management of the watershed has been carried out in an integrated manner are as follows: 1) There is a clear management target, namely an achievement of results that have been planned and are expected to occur in the future; 2) Time strategy, namely scheduling to coordinate and integrate every activity in realizing goals, 3) Involving various sectors and disciplines, namely efforts to involve and coordinate the participation of sectors and disciplines; and 4) Growing motivation for each sector, concerning to the involvement of various sectors in the targeting process will stimulate desire or determination to achieve results.

Meanwhile, when talking about policymaking, Lawrence E. Susskind (et.al) provides 6 indicators of how good environmental policies are, namely: 1) defining problems clearly to facilitate policymaking; 2) describe the various possible responses to policymaking; 3) overcoming resistance to change from related parties; 4) provide space for participation for all stakeholders; 5) work to increase the legitimacy of a particular action or suggested change; and 6) help ensure that adequate resources are available for policy implementation (Susskind et al., 2001).

Furthermore, Green Governance is described as a form of governance that aims to increase environmental needs in various sectors-building, water, transportation, public health, industry, climate, rural neglect and energy (Kuis et al., 2017). Green Governance is a real response to the growing call to change the paradigm in how humans relate to the environment. This of course will lead to environmental protection based on a broader understanding of the economy and human rights and integrated governance (Weston & Bollier, 2013).

The absence of synergy between regions in the form of role sharing between Provinces/Regencies/Cities, Provinces/Regencies/Cities in the downstream area in the context of handling the upstream watershed illustrates that watershed damage has an impact on the problem of balance surplus/deficit throughout the year. Therefore, it is important to look for a Legal Drafting Regulatory Reconstruction Model for Watershed Management in 8 Priority 1 Watersheds in order to restore their support and be protected by good regulations, not only the norm but also the process. The following is a model for the reconstruction of watershed regulations that we are proposing.

1) Integrated Watershed Management to Realize One River One Plan and One Management Policies

Because integrated management means synergistic management between upstream and downstream, the first step in integrated watershed management is to carry out a study of aspects of natural resources (forest, land and water), the study of spatial aspects and study of socio-economic-cultural and institutional aspects. The study of these three aspects was carried out in the relevant development sectors (mining, agriculture, plantation, livestock, industry, forestry and tourism).

By referring to the results of the characterization of watersheds that show vulnerability and potential, programs and management activities can be formulated. Since the watershed area is located within a province or across districts and provinces, the proposed management activities are indicative and their implementation is coordinative. Coordination is intended so that activities between watershed divisions that influence each other within the watershed area have a more targeted target (Handayani, 2013c).

Considering that watershed management is multi-sector in nature, its planning will involve all related parties (stakeholders). The term stakeholder is very popular, which is simply stated as the parties or parties related to a plan or activity. Based on the strengths, positions and influence of the parties on a plan, the parties can be grouped into three groups (Paimin et al., 2012) as follows: Primary Stakeholders, namely those who have direct interest in a policy, program and project, so they must be positioned as determinants in the decision-making process. Secondary Stakeholders namely those who do not directly support the interests of a policy, program and project, but have a concern so that they also influence people's attitudes and government decisions. The Key Stakeholders, namely those who have legal authority in terms of decision making. The stakeholders in question are the executive and legislative branches.

Watershed management that crosses several different administrative areas requires coordination and integration of management policies from upstream-downstream so that policies implemented do not have the characteristic of sectoral egos and respective regional egos. To realize this, of course, is not an easy thing, but with shared commitment and shared awareness that in watershed management, the principle of "one river, one plan, one management" indicates the importance of watersheds being managed as a whole natural resource ecosystem (Endarwati, 2012).

To carry out integrated watershed management from upstream to downstream as a whole requires comprehensive planning, which accommodates and involves various stakeholders. The purpose of this planning is to avoid plans that collide or may overlap with each other. The participation of stakeholders or actors in the planning or planning formulation process has encouraged the formation of a policy network. A policy network is a relationship formed as a result of a coalition between government actors and society, including the private sector (Warden, 1992).

2) Institutional Improvement and Empowerment of the Jabodetabek Watershed Forum

The main principles of green governance and sustainable development underlie the integration of environmental, social and economic concerns into all aspects of decision making. The concept of integration is what differentiates green governance and sustainability from other forms of policy. According to green governance principles, the following characteristics may be recognized (Dernbach, 2003):

- a) principles of sustainable development and collaboration;
- b) collaboration governance principles;
- c) universal paradigmatic principles of integration and systematization

Thus, the scenario in developing a sustainable management policy for the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek must be carried out by taking an integrated approach through improving performance through key factors and additions as described above. In many studies, it is known that the dominant institutional problem is the weakness of the management institutions for the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek.

This problem has led to the emergence of other institutional problems, including ineffective control functions and weak and inconsistent law enforcement, insufficient coordination between agencies related to watershed management; lack of program socialization to the community; community participation is still relatively low; a culture of 'tirakat' that is not conducive to conservation and lacking / no budget for management activities (Handayani, 2013b). Based on this, this action plan is an activity program that needs to be compiled and directed, one of which is to supervise the watershed management institution. Programs that aim to strengthen formal institutions and institutions include:

- a) Strengthening and enhancing the capacity of human resources informal institutions related to the management of the Ciliwung watershed and the eight priority watersheds in Jabodetabek. Training institutions facilitate the process of drafting technical management plans in related agencies. Through this program, it is hoped that simultaneously it will be able to improve the control and law enforcement functions by strengthening coordination between institutions. A comprehensive evaluation of the regulations and laws related to the management of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek to eliminate overlapping policies. Strengthening the implementation of spatial planning using transparency in spatial planning policies, so that the public can play a more active role in monitoring and evaluating the implementation of spatial planning.
- b) Optimizing the role of the Ciliwung Watershed Forum and the Eight Priority Watershed in Jabodetabek as facilitators and dynamics for the management of the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, the model in Jabodetabek has integrated activities involving related parties. In the village / kelurahan conservation model action plan, it will be started by establishing a field school with a curriculum compiled jointly by the parties. To fully involve local communities in all socio-economic-ecological program flows in rural and urban areas (starting to compile financial-reporting programs). For this reason, it is necessary to hold structured and systematic training or workshops that focus on Participatory or Participatory Rural Appraisal.

Participatory Rural Appraisal can be done using training or workshop methods. The need for goodwill by the government to provide space for "local initiatives" to increase the economic productivity of rural and urban communities greatly determines support or collaboration for joint area management. For this purpose, analysis activities are needed to be related to the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek, either through seminars or workshops, to find policy breakthroughs that give priority to cases in the field to overcome blunt bureaucratic procedures.

Through problem analysis and focus on reforming the Integrated Watershed System towards Green Governance, it is basically in line with Article 5 of Law Number 12 of 2011 concerning the Formation of Laws and Regulations. Where in the formation of laws must be based on several principles, including, can be implemented, efficiency and efficiency, and clarity of formulation. Without the detailed formulation of problems and laws and regulations, it will not be comprehensive and right on target. This then has an impact on the process of implementing the regulations/policies that are made. If a regulation/policy is not implemented effectively, it will affect the efficiency and effectiveness which is the objective of the regulation/policy formation).

Responding to watershed management problems that are closely related to environmental issues, the reconstruction of the Ciliwung watershed management regulations and the eight priority watersheds in Jabodetabek must be based on the concept of Green Governance. The formulation of regulations/policies is directed within the framework of an Integrated Watershed, which accommodates all stakeholders to participate in formulating and also implementing the regulations / policies that are compiled later.

CONCLUSION

The problems in managing the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek cover biophysical, social, and institutional aspects. Where these problems must be considered in the preparation of watershed management regulations/policies later. The reconstruction of the management regulations for the Ciliwung Watershed and the Eight Priority Watershed in Jabodetabek is focused on realizing integrated watershed management. Integrated watershed management regulations are then compiled based on three aspects, namely 1) Watershed management to realize one river one plan and one management policies, 2) Identification of the formation and organizational structure of the Jabodetabek watershed management as well as institutional enhancement and empowerment of the Jabodetabek watershed forum.

Integrated watershed management is expected to be able to realize Green Governance in managing watersheds as a resource capable of providing benefits to the public. Through coordination, integration and synchronization of policies and activities for effective and efficient watershed management and development. Accordingly, these related parties have a "Binding Flag" and a commitment to the program and carry out activities in order to achieve mutually agreed goals.

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