Enquiries concerning the Centre's activities and publications can be directed to:

Centre for Indonesian Law, Islam and Society  
Melbourne Law School  
The University of Melbourne  
Victoria 3010  
AUSTRALIA  

Tel: +61 3 8344 6847  
Email: law-cilis@unimelb.edu.au

Report prepared and edited by Tim Lindsey, Kathryn Taylor, Jessica Cotton and Ade Suharto of the Centre for Indonesian Law, Islam and Society.
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About the Centre for Indonesian Law, Islam and Society

The Centre for Indonesian Law, Islam and Society (CILIS), located in the Melbourne Law School, was established in 2013. The Centre was previously called the Centre for Islamic Law and Society (CILS), but was reestablished in 2013 to better reflect the focus of its research and seminar programmes.

CILIS is linked to the Melbourne Law School’s Asian Law Centre (ALC), and grew out of the ALC’s longstanding programmes on Indonesian law. There has been close cooperation between the Centres since CILIS was established.

Objectives

The Centre is interdisciplinary, and its objectives are to:

• create a global centre of excellence for research on Indonesian law, governance and legal culture at the University of Melbourne with a particular focus on the state legal system and Islamic legal traditions, and their relationships to Indonesian society;

• promote interdisciplinary approaches to understanding contemporary Indonesian legal issues at the University of Melbourne;

• attract researchers/specialists of the highest calibre in the study of contemporary Indonesian legal issues to the University of Melbourne;

• function as a think-tank for issues related to Indonesian law, Islam and society; and

• enhance community understandings of Indonesian law, Islam and society.
Director’s Report

Indonesia matters. It matters more in the world today than ever before — and in particular it matters for Australia.

Why Indonesia?

Our near neighbour is the world’s fourth largest country and has its largest Muslim population. There are more Muslims in Indonesia than in the whole of the Middle East combined (and more Christians than the entire population of Australia). Indonesia is also the world’s third largest democracy.

This huge country is now beginning to transform the way China did a few decades earlier. Every year around 9 million Indonesians enter the middle class, which is already almost four times the size of the total population of Australia. The vast majority of Indonesians now live in cities, not the countryside. Indonesia has become a predominantly urban society, not the rural one many Australians still imagine it to be.

This means that despite its clunky economy, poor infrastructure, low foreign investment, corruption and a forest of red tape, Indonesia may soon become a catalytic force in our region. In 2012, Indonesia’s PPP (purchasing power parity) GDP significantly outstripped Australia’s, for the first time. Ratings agencies say its economy will be 7th or 8th in the world within a decade and a half, bigger than Germany and the UK, and in the top 5 by 2050. If this proves correct, it will transform Southeast Asia, our neighbourhood.

Indonesia’s leaders certainly believe their country is rising. They are aware it is changing fast and expect to find a new place in the world that reflects their size and growing economic clout. Many of Indonesia’s regional partners are also starting to rethink and recalibrate their engagement with it. Old assumptions about Indonesia as a junior partner just don’t work any more.

What this all means for Australia is not just that our geography as the only ‘Western’ nation in Asia gives us the opportunity to engage with Indonesia as it emerges, but that we must do so.

Sadly, although we are already well into the second decade of the Asia Century, not enough has been done to deepen engagement with Indonesia. Australian perceptions of Indonesia too often lag far behind reality. The polling is clear that, dominated by clichés from Indonesia’s past, many Australians have not noticed its spectacular transition to democracy and its rapid modernisation. The polls even show that a significant portion of Australians missed Indonesia’s democratisation altogether and believe it is still an authoritarian regime run by the military. Seventy per cent even believe, quite incorrectly, that its legal system is based solely on Islamic codes.

This ignorance and the hostility that accompanies it, according to the polls, explains why we currently invest more in New Zealand than we do in Indonesia, and why Indonesian studies is, unfortunately, in decline in our schools and universities. Most Australians recognise the importance of China for Australia’s future, but few see Indonesia in the same way.

The root of the problem is that Australians have spent too long looking north, past Indonesia, at almost anywhere else you can imagine — the ‘Anglosphere’, Japan or China — and knowledge of our ‘Near North’ is relatively weak. This works both ways. Indonesians usually look north too, and that means they rarely look back at us. We need to not just understand Indonesia and engage with it better, but also find new ways to help them do the same with us. Law is at the heart of this, fundamental as it is to the political, strategic and commercial relations between the two countries. After all, most bilateral tensions with Indonesia are about law, one way or another: think of Schapelle Corby, the Bali Nine, people smugglers, and underage Indonesian boat crew in Australian prisons.

A new Centre for Indonesian legal studies

CILIS was established in 2013 specifically to respond to these challenges by building world-class scholarly expertise in Australia on Indonesian law. It is, in fact, the first and only research centre outside Indonesia solely dedicated to the study of Indonesian law. It understands law in a broad, inter-disciplinary sense, thinking about both black letter ‘law in books’ and the ‘law in action’ in their wider social and political contexts. CILIS therefore deals with a huge spectrum of Indonesian legal themes, from public law to corporate and commercial law, criminal law, human rights, traditional customary law, legal institutions, lawyers, private law, and so on.

Responding to Indonesia’s huge Muslim population and the growing importance to them of Islamic legal traditions, CILIS also works on Islamic law in Indonesia — again in both a doctrinal sense and the wider socio-political context.

Since it was set up just four years ago, CILIS has been able to build a wide network of colleagues and collaborators. Its Senior Associates include many of the world’s most eminent scholars working on Indonesian legal themes in Indonesia, Australia, Europe and the United States. Its Associates include impressive and energetic young scholars who have already begun to make important contributions to better understanding Indonesia’s complex and poorly understood legal system, including through the McKenzie Fellowship and other grant awards.

With an extensive seminar programme (and many events available for viewing online on the CILIS Youtube channel) and a busy visitor programme, CILIS has also established a global reputation for research excellence in Indonesian law, attracting Indonesian and Australian RHD students in significant numbers. With 12 PhD completions since CILIS was established, the Centre is making an important contribution to building the next generation of scholars of Indonesian law and society. We are
proud that one of those students, Dr Stewart Fenwick, won both the Law School’s Harold Luntz Prize and the University’s Chancellor’s Award for his thesis on Indonesia’s blasphemy law.

Since inception, CILIS has also run an annual Islamic Studies Postgraduate Conference, with support from the National Centre for Excellence in Islamic Studies and, in recent years, the Institute for Religion, Politics and Society at the Australian Catholic University. This conference attracts RHD students working on Islam from all over Australia and from Indonesia and other parts of Asia, allowing PhD and Masters candidates to receive direct feedback from experienced scholars of Islam, and build their own scholarly networks. There is no other event like this in Australia.

In the last four years, CILIS has developed a very close relationship with Indonesia’s network of state Islamic universities and institutes and, in particular, the Islam and Society Research Centre (PPIM) at Jakarta’s state Islamic university. This has proved a fruitful source of research collaboration that has led to a range of publications, grants (including a Miegunyah Fellowship), visits and RHD students.

CILIS played a key role in establishing the University’s new Indonesian affairs blog, Indonesia at Melbourne, together with the Asia Institute and the University’s Indonesia Forum. With a rich variety of articles written by scholars from within and beyond the University, including Indonesians and non-Indonesians, the blog (which is edited in the Centre) has already built a strong following in Indonesia and overseas, as well as in Australia. We are proud that the blog’s largest group of readers is in Indonesia.

CILIS also continues to edit and produce The Australian Journal of Asian Law, a free peer-refereed online journal (SSRN) that publishes twice a year. It is Australia’s only scholarly journal that publishes exclusively on Asian law — and one of very few in the world. This journal has established itself as a high quality and vital resource for scholarship on Australia’s region, including Indonesia.

CILIS is one of the smaller centres in the Law School but its research output belies this, as does its success in attracting grants. Over the last four years, members have been very active publishing monographs, chapters in books, and refereed journal articles, with the Centre hosting a series of well-attended launches of important new books written by members.

The Centre also produces a range of Policy Papers on current issues on Indonesia with legal implications, such as the death penalty, corruption, people smuggling and the environment, among others. These are available online and circulated to a wide variety of policymakers and thought leaders in both government and the private sector. Like the blog, they are widely read and Centre members are often called on to advise government agencies, lawyers and businesses in Australia and overseas, or to speak to the media.

In fact, CILIS has one of the highest media profiles of any research centre at the university.

Building a new research centre that works internationally and collaboratively across a complex and highly diverse field of disciplines and topics has been challenging. It would have been completely impossible without the dedicated support of many talented people.

My deepest thanks go to the committed staff of CILIS for their hard work, enthusiasm and constant professionalism: Dr Helen Pausacker, Deputy Director and fellow AJAL executive editor; Professor Denny Indrayana, Associate Director; Tim Mann, Associate Director and Indonesia at Melbourne blog editor; Kathryn Taylor, Centre Manager; and Ade Suharto, Centre Administrator (and, previously, Tessa Shaw, Vicky Aikman and Jessica Cotton). My thanks also go to Professor Carolyn Evans who, as Dean of the Law School, has been unstinting in her support for the Centre and the wider study of Asian law.

Tim Lindsey
9 July 2017
FINANCES

Finances

The Centre receives administrative support from the University of Melbourne of $5,000, in addition to the paid salaries of 1.6 FTE professional staff positions. The salary of the Centre Director is borne by the Faculty, who undertakes standard academic obligations in the Faculty. The Deputy Director’s salary is covered by the Faculty, as is that of the two Associate Directors. All have other duties within the Faculty. All other positions are honorary positions.

The research activities of the Centre for Indonesian Law, Islam and Society, including salaries of research assistants, are funded largely from research grants.

In addition, Centre members have previously taught an extra subject in the Melbourne Law Masters (MLM) to generate income for Centre activities, but this is no longer possible under new MLM funding rules.

Grants Received

<table>
<thead>
<tr>
<th>CILIS Member(s)</th>
<th>Year(s)</th>
<th>Type of Grant</th>
<th>Title</th>
<th>Collaborator</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Lindsey</td>
<td>2006-2013</td>
<td>ARC Federation Fellowship</td>
<td>‘Islam and Modernity: Syari’ah, Terrorism and Governance in South-East Asia’</td>
<td></td>
<td>A$3.48 million</td>
</tr>
<tr>
<td>Tim Lindsey</td>
<td>2010-2014</td>
<td>ARC Discovery Grant</td>
<td>‘Drugs, Law and Criminal Procedure in Southeast Asia: A Comparative Analysis’</td>
<td>Professor Pip Nicholson</td>
<td>A$281,000</td>
</tr>
<tr>
<td>Tim Lindsey</td>
<td>2014</td>
<td>Melbourne-Asian Century Visiting Fellowships Program</td>
<td>Visit by Dr Todung Mulya Lubis</td>
<td>Dr Todung Mulya Lubis</td>
<td>A$10,413</td>
</tr>
<tr>
<td>Tim Lindsey</td>
<td>2014</td>
<td>Miegunyah Distinguished Visiting Fellowship</td>
<td>Visit and Public Lecture by Professor Jamhari Makruf</td>
<td>Professor Jamhari Makruf</td>
<td>A$6,300</td>
</tr>
<tr>
<td>Tim Lindsey</td>
<td>2016-2018</td>
<td>ARC Discovery Grant</td>
<td>‘Islam, Law and the State in the Philippines’</td>
<td>Associate Professor Kerstin Steiner (LaTrobe University) and Professor MB Hooker (CILIS Associate)</td>
<td>A$200,100</td>
</tr>
</tbody>
</table>
CILIS Staff

Directors

Director

Professor Tim Lindsey

Tim Lindsey is Malcolm Smith Professor of Asian Law, Redmond Barry Distinguished Professor and Director of the Centre for Indonesian Law, Islam and Society at the Melbourne Law School. A specialist in a wide range of aspects of Indonesian law, he holds a Bachelor of Laws, Bachelor of Arts and Bachelor of Letters from the University of Melbourne, and completed his PhD thesis in Indonesian studies. He teaches and researches many different areas of Indonesian law, as well as shari’a (Islamic law) in Indonesia and Southeast Asia. He has won national and university teaching awards, and was an ARC Federation Fellow from 2006 to 2011. Tim is a member of the Victorian Bar and was the long-serving Chair of the Australia Indonesia Institute until 2016. His more than 120 publications include Indonesia: Law and Society; Islam, Law and the State in Southeast Asia (three volumes, two with Kerstin Steiner); The Indonesian Constitution (with Simon Butt); Drugs Law and Practice in Southeast Asia (with Pip Nicholson) and Religion, Law and Intolerance in Indonesia (with Helen Pausacker). He is a founder and an Executive editor of the Australian Journal of Asian Law.

Deputy Director

Dr Helen Pausacker

Helen Pausacker is Deputy Director of the Centre for Indonesian Law, Islam and Society (CILIS) and an Executive Editor for the Australian Journal of Asian Law. She is Principal Researcher with the Asian Law Centre and CILIS. She has been Convenor of the Indonesia Forum, an inter-Faculty group at the University of Melbourne (2001, 2009 to 2011).

Helen is an Arts graduate of the University of Melbourne (BA Hons, BLitt and Graduate Certificate in Gender and Development) and Monash University (MA) and completed her PhD at the Melbourne Law School in 2013. She has worked in a number of Indonesia-related positions, including as lecturer and tutor in History at the University of Melbourne (1995-1996) and Politics at Latrobe University (2000); as language facilitator and interpreter for a number of legal and non-government organisations; as a researcher with the Australian Council for Overseas Aid; and as Office and Production Manager for the magazine, Inside Indonesia.

Helen’s research interests in the legal field include charges of ‘pornography’ and prosecution of religious sects, and she also researches in the field of Javanese culture. Helen’s publications include Behind the Shadows: Understanding a Wayang Performance (Indonesian Arts Society, 1996), Chinese Indonesians: Remembering, Distorting, Forgetting (with Tim Lindsey, ISEAS, 2005) and Religion, Law and Intolerance in Indonesia (with Tim Lindsey, Routledge, 2016).
Associate Director

Professor Denny Indrayana

Professor Denny Indrayana joined CILIS as Associate Director in 2016. He is an internationally-recognised anticorruption campaigner who has played a leading role in law reform efforts in Indonesia. Before being sworn in as Vice Minister of Law and Human Rights, Denny was Special Advisor for Legal Affairs, Human Rights and Anticorruption to President Yudhoyono, Chair of the Centre for the Study of Anti-Corruption at Gadjah Mada University, and Director of the Indonesian Court Monitoring NGO. Denny has a PhD from the Melbourne Law School and won the prestigious Australian Alumni Award in 2009. He has written hundreds of articles and books.

Associate Director

Mr Tim Mann

Tim Mann joined the Centre for Indonesian Law, Islam and Society in 2015 as editor of the Indonesia at Melbourne blog. He has recently returned to Australia after living and working in Indonesia for several years. Between 2011 and November 2014, Tim worked as a program officer at The Asia Foundation, where he had the opportunity to partner with a broad range of Indonesian civil society organisations implementing programs in religious freedom, human rights, media development, public policy research and civic participation. In addition to his work with the Foundation, Tim has experience in a number of media and civil society organisations in Australia and Indonesia. Tim began his career as a veterinarian, and spent one year working on an orangutan rehabilitation centre in Central Kalimantan, before making the transition to development and now academia. Tim holds a Master of Development Studies from the University of Melbourne.

Professional Staff

Centre Manager

Ms Kathryn Taylor

Kathryn Taylor is Manager of the Asian Law Centre and has been Manager of the Centre for Indonesian Law, Islam and Society since its inception. Kathryn was the Project Manager of Professor Tim Lindsey's ARC Federation Fellowship from 2006 to 2012. She is currently Project Manager of Asian Law Online, the largest bibliographic database of English-language materials on Asian legal systems in the world.

Kathryn completed her Arts degree with Honours in Chinese from the University of Melbourne in 1999, after spending 16 months studying Mandarin at National Cheng Kung University, Taiwan R.O.C. She completed a Master of Management (International Business) at Monash University in 2001. As part of this degree, Kathryn also completed a Winter Semester in Chinese Law at the East China University of Politics and Law. Kathryn’s research interests include Chinese language and culture, Asian legal systems (particularly the legal systems of China and Taiwan), international business, the current state of China-Taiwan relations, and Islam in China. Kathryn is able to communicate in Mandarin. She has co-edited a monograph with Stacey Steele, titled Legal Education in Asia: Globalization, Change and Contexts (Routledge, 2010).
CILIS STAFF

Centre Coordinator
Ms Tessa Shaw (2009 - 2014)
Tessa joined the Asian Law Centre in 2009 as the Coordinator of the Asian Law Centre and the Centre for Indonesian Law, Islam and Society. She assisted with Professor Tim Lindsey's ARC Federation Fellowship from 2009 to 2012. Tessa moved to Australia from Singapore in 2002. She graduated with an Arts degree, majoring in English Language, from the University of Melbourne in 2005. She also completed a postgraduate certificate in Editing and Communications at the University that year. Thereafter, she worked extensively in events management. She has also written for various publications in Australia, and later, in Singapore.

Centre Coordinator
Ms Ade Suharto (2015 - current)
Ade joined the Asian Law Centre and Centre for Indonesian Law, Islam and Society in 2015. She holds degrees from the University of South Australia (Graduate Diploma in Arts & Cultural Management) and the University of Adelaide (BA (Hons), Dance). Ade was a recipient of a Darmasiswa Scholarship from the Indonesian government (2000-2002), studying dance in Solo, Central Java. Before coming to Melbourne, Ade held positions in arts and culture, supporting a range of South Australian performing arts organisations and national events. Simultaneously, Ade has developed her practice as a choreographer, collaborator and performer.

Administrator (Centre Operations)
Ms Vicky Aikman (2011 - 2015)
Vicky joined the Asian Law Centre in December 2011 (while Kathryn Taylor was on maternity leave). She rejoined the staff of the University of Melbourne after time away to assume family responsibilities and part-time study commitments.

She previously held departmental manager roles in the Schools of Languages and Earth Sciences. She has also worked in the central administration of the University managing the examination and graduation processes, and in the Faculty of Science administering research and graduate studies. Vicky holds a Bachelor of Arts with majors in history and politics from the University of Melbourne. She is a qualified horticulturalist and is currently studying applied landscape design.
CILIS Senior Associates

CILIS Senior Associates are senior academic members, generally from institutions external to the Melbourne Law School. They are renowned scholars in the fields of Indonesian legal systems and Islamic Studies and form a vital network for CILIS’ research and engagement activities.

Professor Christoph Antons
Professor Christoph Antons holds a Chair in Law in the School of Law, Faculty of Business and Law, at Deakin University. He is also an External Associate of the Max Planck Institute for Intellectual Property and Competition Law in Munich, Germany. Christoph is the author of *Intellectual Property Law in Indonesia* (2000), editor of *Law and Development in East and Southeast Asia* (2003), *Traditional Knowledge, Traditional Cultural Expressions and Intellectual Property Law in the Asia-Pacific Region* (2009), and *The Enforcement of Intellectual Property Rights: Comparative Perspectives from the Asia-Pacific Region* (2011).

Professor Jimly Asshiddiqie
Professor Jimly Asshiddiqie is a leading Indonesian legal figure, both as a scholar and a prominent public official. As founding Chief Justice of Indonesia’s first Constitutional Court (2003-2008), he established a new branch of the judiciary and developed a process of constitutional review of statutes that had long been missing in Indonesia. He helped set a new standard in Indonesian courts for reasoned judgments drawing on international jurisprudence, as well as pioneering publication of judgments. He is now chair of the Honorary Council of the Electoral Management Bodies and of the Advisory Council to the National Commission of Human Rights. He has advised presidents and the national legislature on legal and political issues, and has twice been decorated for his contributions to Indonesian law reform and state administration. Professor Asshiddiqie studied at the University of Indonesia, Leiden University and Harvard, and is Professor of Constitutional Law at the University of Indonesia. He has published more than 40 books, some in English, creating an important resource for emerging constitutional thought on democracy in Indonesia.

Professor Azyumardi Azra
Professor Azyumardi Azra is one of Southeast Asia’s most prominent liberal Muslim intellectuals. He is Rector and Professor of History at the Univeritas Islam Negeri (UIN), Jakarta Indonesia. In 1982, Professor Azra graduated from the Faculty of Tarbiyah (Islamic Education) at the Jakarta IAIN (now UIN). He was appointed Lecturer there in 1985 and in the following year was selected for a Fulbright Scholarship to pursue advanced studies at Columbia University, New York City. He graduated with an MA from the Department of Middle Eastern Languages and Cultures in 1988. Winning a Columbia President Fellowship, he moved to the Department of History, Columbia University where he undertook further studies; MA (1989), MPhil (1990) and PhD (1992). He was also Vice Director of the Centre for the Study of Islam and Society (Censis) of the IAIN/UIN Jakarta before his appointment as Vice Rector for Academic Affairs. Professor Azra has been a visiting fellow of Southeast Asian Studies at the Oxford Centre for Islamic Studies, Oxford University; a Visiting Professor at the University of Philippines, Diliman and the Universiti Malaya; a Distinguished International Visiting Professor at the Department of Middle Eastern Studies, New York University; member of Board of Trustees, International Islamic University Islamabad (2004-9); editor-in-chief, *Studia Islamika, Indonesian Journal for Islamic Studies* (1993-now); and member of editorial board, *Journal Ushuluddin* (University Malaya) and *Quranic Studies* (SOAS London). He has presented numerous papers at international conferences and has lectured at universities including Columbia, Harvard, ANU, Kyoto, Leiden, and many others. He has published 18 books, including *The Origins of Islamic Reformism in Southeast Asia* (Crows Nest, NSW, Allen&Unwin-AAAS, 2004; University of Hawaii Press; 2004; Leiden: KITLV Press, 2004).
SENIOR ASSOCIATES

Associate Professor Gary Bell
After an undergraduate degree in theology (BTh) at the Universite Laval (Quebec City), Gary F. Bell obtained degrees in both common law (LLB) and the civil law (CLB) at McGill University in Montreal and an LLM at Columbia University in New York City.

He was Editor in Chief of the McGill Law Journal, clerked for Justice Stevenson of the Supreme Court of Canada and taught at McGill University, teaching comparative law. He does most of his research on Indonesian Law and on the United Nations Convention on Contracts for the International Sale of Goods. He is a Director of the Asian Law Institute at the National University of Singapore.

Professor Simon Butt
Simon Butt is a current ARC Australian Postdoctoral Research Fellow and Associate Director (Indonesia) for the Centre for Asian and Pacific Law at The University of Sydney, where he teaches Indonesian law.

Prior to joining the faculty as Senior Lecturer, Simon worked as a consultant on the Indonesian legal system to the Australian government, the private sector and international organisations, including the United Nations Development Programme (UNDP) and the International Commission of Jurists (ICJ). He has taught in over 70 law courses in Indonesia on a diverse range of topics, including intellectual property, Indonesian criminal law, Indonesian terrorism law and legislative drafting. He is fluent in Indonesian.


Rep. Neri Colmenares
Rep. Neri Colmenares is a human rights lawyer and was the Senior Deputy Minority Leader of the 16th Congress during his three terms as a member of the House of Representatives. He was recently elected Chairman of the National Union of Peoples Lawyers, a national association of human rights lawyers. Rep. Colmenares completed his law degree at the University of the Philippines and was awarded the Distinguished Alumni for Public Service in 2015.

He lectures on human rights, election law, international humanitarian law and oral advocacy in the Supreme Court Mandatory Continuing Legal Education program for Philippine lawyers. He was one of the prosecutors in the historic impeachment trial of former Supreme Court Chief Justice Renato Corona in 2012 which led to removal of the Chief Justice. In 1998 he argued before the United States District Court for the compensation of human rights violations victims in the Marcos human rights case. He is currently the Vice President of the Confederation of Lawyers in Asia and the Pacific (COLAP).
Associate Professor Charles Coppel
Charles is a Principal Fellow in the School of Historical and Philosophical Studies at the University of Melbourne. After graduating in Law at the University of Melbourne, he practised as a barrister for five years, but developed a more enduring fascination for the modern history of Indonesia and its ethnic Chinese minority. His Monash PhD was published as Indonesian Chinese in Crisis (Oxford UP, 1983) and as Tionghoa Indonesia Dalam Krisi (Pustaka Sinar Harapan, 1994).

His publications have covered ethnic and race relations, ethnic identity, Confucian religion, language usage, colloquial Malay fictional and historical narratives, multiple migration, and the transformation of everyday life in colonial Java. These interests are reflected in his book Studying Ethnic Chinese in Indonesia (Singapore Society of Asian Studies, 2002). He taught at Monash University and, from 1973 to 2002, at the University of Melbourne, and was a Fellow-in-Residence of the Netherlands Institute for Advanced Study in the Humanities and Social Sciences in 1995-1996. Since his ‘retirement’ in 2002, Charles has continued to publish on the Chinese in Indonesia and edited Violent Conflicts in Indonesia: Analysis, representation, resolution (Routledge, 2006).

Charles’ work was honoured in the volume Chinese Indonesians: Remembering, Distorting, Forgetting edited by Tim Lindsey and Helen Pausacker (Institute of Southeast Asian Studies, Singapore and Monash Asia Institute, 2005). In 2009 he was the recipient of Indonesia’s NABIL Foundation Award for his contribution to Indonesian nation-building.

Professor Howard Dick
Professor Howard Dick is an Honorary Professorial Fellow in the Faculty of Business and Economics at the University of Melbourne, and Conjoint Professor in the Faculty of Business and Law at the University of Newcastle. He is an internationally highly-regarded Asia specialist working primarily on Indonesia and Southeast Asia. His interests include applied economics, Asian laws, Asian business and the Asian business environment. Before his appointment to the University of Melbourne, he worked for many years at the Australian National University. Professor Dick’s current research focuses on issues of corruption and governance and the difficulties of driving institutional change by formal legal reform. He has written extensively on state expansion, development and economic integration in Indonesia and Southeast Asia. He is a regular media commentator on Australia-Asia relations.

Associate Professor Greg Fealy
Associate Professor Greg Fealy is the head of the Department of Political and Social Change, at the School of International, Political and Strategic Studies at Australian National University. His main research interests are Islam and post-independence Indonesian politics. He gained his PhD from Monash University in 1998 with a study of the history of Nahdlatul Ulama, published in Indonesian under the title Ijtihad Politik Ulama: Sejarah NU, 1952-1967. He is the co-author of Joining the Caravan? The Middle East, Islamism and Indonesia (2005), Radical Islam and Terrorism in Indonesia (2005) and Zealous Democrats: Islamism in Egypt, Indonesia and Turkey (2008).

Dr R. Michael Feener

R. Michael Feener is Sultan of Oman Fellow at the Oxford Centre for Islamic Studies at the University of Oxford. Before coming to Oxford, he was Research Leader of the Religion and Globalization Research Cluster at the Asia Research Institute, and Associate Professor of History at the National University of Singapore. Previously he taught at Reed College, and the University of California, Riverside. He has also held visiting professor positions and research fellowships at Kyoto University, École des Hautes Études en Sciences Sociales (Paris), the University of Copenhagen, The Doris Duke Foundation for Islamic Art (Honolulu), and the International Institute for Asian Studies (IIAS) in Leiden.

Born in Salem, Massachusetts, he was trained in Islamic Studies and foreign languages at Boston University as well as in Indonesia, Egypt, and the Yemen. His books include Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Muslim Legal Thought in Modern Indonesia. Shi'iism and Beyond: 'Alid Piety in Muslim Southeast Asia (with Chiara Formichi), Proselytizing and the Limits of Pluralism in Contemporary Asia (with Juliana Finucane), From the Ground Up: Perspectives on Post-Tsunami and Post-Conflict Aceh (with Patrick Daly & Anthony Reid), Mapping the Acehnese Past (with Patrick Daly & Anthony Reid), Islamic Connections: Muslim Societies of South and Southeast Asia (with Terenjit Sevea), Islamic Law in Contemporary Indonesia: Ideas and Institutions (with Mark Cammack), and Islam in World Cultures: Comparative Perspectives.

Dr Stewart Fenwick

Stewart Fenwick is the Chief Executive Officer and Principal Registrar of the Federal Circuit Court of Australia and an Honorary Professor at the Australian Catholic University. He has been a consultant on legal reform initiatives for several years, and between 2004-2008 managed Australia’s legal and human rights reform program in Jakarta. Stewart has experience as a legal practitioner in both the private and public sector, and served with the UNHCR in Mongolia, where he also taught at the National University between 2000 and 2001. Stewart completed his PhD at Melbourne in Indonesian and Islamic law, where he won the Melbourne Law School Harold Luntz Award and the Chancellor’s Prize for his thesis. He holds undergraduate degrees from Melbourne (Arts/Law) and an LLM (International Law) from the Australian National University.

Professor M.B. Hooker

Professor M.B. Hooker is Adjunct Professor of the Faculty of Law at Australian National University and was previously Professor of Comparative Law at the University of Kent at Canterbury. He is regarded as a leading world authority on Islamic law and traditional customary law in Southeast Asia and is a Founder and Co-editor of The Australian Journal of Asian Law. Notable recent publications include Indonesian Syariah: Defining a National Islamic Law (ISEAS Singapore, 2008).
SENIOR ASSOCIATES

Professor Virginia Hooker

Professor Virginia Hooker was Professor of Indonesian and Malay in the Faculty of Asian Studies, the Australian National University, Canberra until early 2007. Her research interests are Islam in Indonesia; instructional literature for Muslim women; and Islam and democratisation in Indonesia. She has secured several research grants for projects on the contemporary expression of Islam in Indonesia. Professor Hooker’s publications include Voices of Islam in Southeast Asia: A Contemporary Sourcebook (with Greg Fealy, 2006); Writing a New Society: Social Change Through the Novel in Malay (2000); Perceptions of the Haj: Five Malay Texts (with A.C. Milner, 1984); and Tuhfat al-Nafis Sejarah Melayu Islam (1991, reprinted as a Karya Agung in 1998).

Professor Susan Kneebone

Professor Susan Kneebone researches in the area of international migration, nationality and citizenship law, including refugees, statelessness, human trafficking, marriage migration and migrant workers, with particular reference to South East Asia. She has published widely in international journals including the Journal of Refugee Studies, the International Journal of Refugee Law [‘The Pacific Plan: the Provision of ‘Effective Protection?’ (2006) 18 (3, 4)], the Journal of Immigration, Asylum and Nationality Law [‘Outing off-shore processing: the High Court of Australia defines the role of the Refugee Convention’ (2012)].


Susan was appointed a Professorial Fellow at Melbourne Law School in March 2015. Prior to that she was a Professor in the Faculty of Law, Monash University. In 2012 she was elected Secretary, International Association for the Study of Forced Migration (IASFM) and was appointed to the Senior Research Associate Network and publication board of the Refugee Law Initiative, University of London. In 2013, she was appointed an Institutional Partner with the Refugee Research Network, Refugee Studies Centre Canada funded by the Canadian Social Sciences and Humanities Research Council. In December 2014, she was invited to the UNHCR Annual Dialogue on ‘Protection Challenges’, Geneva and in March 2015, to the Seventh Colloquium on Challenges in International Refugee Law, University of Michigan Law School.

Associate Professor David Linnan

David Linnan is a scholar of comparative, economic and public international law with a special interest in Asian law. He studied humanities at Emory University (BA 1976) and law at the University of Chicago (JD 1979), where he was comment editor of the law review. He was in private law practice for six years in Los Angeles and has held research or teaching appointments elsewhere at the University of South Carolina, the University of Washington in Seattle, the Australian National University in Canberra (RSPAS & Faculty of Law), the University of Melbourne, the University of Indonesia Faculty of Law and Graduate Law Program in Jakarta (separately), and the Max-Planck-Institut (Strafrecht), Freiburg i.Br., Germany.

Since 2000 he has been the Program Director for the Law & Finance Institutional Partnership, a legal and financial sector reform project run from Jakarta as an academic consortium of Indonesian and foreign universities.
Professor Todung Mulya Lubis

Dr Todung Mulya Lubis is one of Indonesia’s leading human rights lawyers and most influential legal thinkers. He completed his undergraduate Law degree at the University of Indonesia (1974); his LLM at the University of California, Berkeley; a second LLM at Harvard Law School; and his JSD at the University of California, Berkeley. He has been a senior Adjunct Member of the Faculty of Law, University of Indonesia since 1990, where he was first appointed in 1975. From 1980 to 1983, he was Director of Indonesia’s famous dissident NGO, the Legal Aid Foundation, where he worked for many years. His influential 1983 scholarly book In Search of Human Rights: Legal-Political Dilemmas of Indonesia’s New Order 1966-1990 played an important role in defining democratic thinking about human rights in Indonesia.

Dr Lubis is also Founding and Senior Partner of a prominent law firm in Jakarta and has been lead counsel in a number of major human rights cases, often on a pro bono basis. These include acting for the Bali Nine in an attempt to convince Indonesia’s Constitutional Court to abolish the death sentence and against President Soeharto. He has also held a series of senior government appointments. In 2014, he was appointed as Honorary Professor in the Melbourne Law School.

Professor Jamhari Makruf

Professor Jamhari Makruf is lecturer and formerly Deputy Rector (Academic) at the Universitas Islam Negeri (UIN) (State Islamic University) Syarif Hidayatullah in Jakarta. Having received a PhD in anthropology from the Australian National University, Professor Jamhari is a highly-regarded researcher on Islamic studies with a focus on the installation of democracy in Islamic society and Muslim’s compatibility with civil society. Among his current interests and concerns is aggravated poverty in rural areas as an underlying cause for the upsurge of religious fundamentalism. Professor Jamhari facilitates the interdisciplinary research activities of the PPIM-UIN research centre in Jakarta, which is designed to enhance mutual understanding between Muslims and non-Muslims. His work is concerned with injustice against Muslim communities due to misperceptions, and explores the contemporary significance of Islam through linkages with Western value systems. His publications include Islamic Contemporary Movements: The Rise of Islamic Radicalism (Logos, 2004).

Professor Dr Iur Adnan Buyung Nasution (2013-2015)

See Obituary on page 28.

Professor Dr Iur Adnan Buyung Nasution was widely regarded as Indonesia’s leading advocate and trial lawyer. He was a pioneer of legal aid and law reform, as well as being a key figure in the development of human rights law and constitutionalism in Indonesia.

In 2010, he was appointed as Honorary Professorial Fellow in the Melbourne Law School, in recognition of his huge contribution to constitutional studies and scholarship on Indonesian law, and his commitment to building the rule of law in his home country.
Professor Merle Ricklefs AM

M. C. Ricklefs is Professor Emeritus of the Australian National University and a Fellow of the Australian Academy of the Humanities. He is a scholar of the history and current affairs of Indonesia, whose recent publications have concentrated particularly on the role of Islam in recent and contemporary Java. Professor Ricklefs was formerly Director of the Research School of Pacific and Asian Studies at the Australian National University and, more recently, Professor of History at the National University of Singapore. He has also held appointments at The School of Oriental and African Studies (London University), Monash University (where he was Professor of History from 1980 to 1993) and All Souls College, and was foundation Director of the Melbourne Institute of Asian Languages and Societies.


He is sectional editor for Southeast Asia for the new 3rd edition of Encyclopaedia of Islam (16 vols., now appearing in fascicules) and co-editor of both the Southeast Asia series of Handbuch der Orientalistik and the Southeast Asia Library (SEAL) monograph series, both published by Brill. He is currently a member of the editorial boards of Studia Islamika, Journal of Indonesian Islam and Journal of Southeast Asian Studies.

In 2010, he was elected as an erelid (Honorary Member) of the Netherlands Koninklijk Instituut voor Taal-, Land-en Volkenkunde.

Associate Professor Benny Tabalujan

Associate Professor Benny Tabalujan has a Bachelor of Economics and Bachelor of Laws from Monash University and a Master of Laws and PhD (Law) from the University of Melbourne. He was admitted as a barrister and solicitor of the Supreme Court of Victoria and the High Court of Australia in 1985. He was previously a corporate and commercial lawyer with Minter Ellison and worked in Melbourne and Hong Kong before becoming an award-wining academic at the Nanyang Business School in Singapore.

Associate Professor Tabalujan is now director of a private consulting firm and a Principal Fellow at the Melbourne Business School where he teaches in the MBA program. He is also a Senior Fellow in the Melbourne Law School, where he teaches in the Master of Laws programme. He is regarded as a leading authority on corporate governance, ethics and regulation in the Southeast Asian region.
CILIS Associates

CILIS Associates are emerging younger scholars who have made a significant contribution to CILIS' research and engagement activities. They are important resources for the centre.

Dr Dina Afrianty

Dr Dina Afrianty is a researcher at the Institute for Religion, Politics and Society, Australian Catholic University, and affiliated with the International Relations Department at the Faculty of Social and Political Sciences (FISIP) and International Cooperation and Institutional Development at the Center for the Study of Islam and Society (PPIM), both at the State Islamic University (UIN) Syarif Hidayatullah, Jakarta. Dina completed her PhD at the University of Melbourne in 2010. Dina is also the editor of Studia Islamika, an international journal of Islam in Southeast Asia, published by PPIM.

Dr Melissa Crouch

Dr Melissa Crouch is a lecturer in the Law Faculty at the University of New South Wales in Sydney. Prior to this, she was a Research Fellow at the Centre for Asian Legal Studies, the Law Faculty, the National University of Singapore. In 2012, she was a Postdoctoral Fellow at the International Institute of Asian Studies in Leiden, the Netherlands. She has previously been a Principal Researcher at the Asian Law Centre and a Research Fellow in the Melbourne Law School. Melissa obtained a Bachelor of Arts/Bachelor of Laws from the University of Melbourne in 2007. In March 2012, she obtained her PhD, also from Melbourne. Melissa’s research has primarily focused on issues of law and society in Southeast Asia, particularly Indonesia and Myanmar. She is the author of Law and Religion in Indonesia: Conflict and the Courts in West Java (Routledge, 2013). Melissa’s current research focus is on the law reform process in Myanmar, particularly public law. She is also conducting research on Islam in Southeast Asia with a focus on Myanmar.

Mr Arjuna Dibley

Arjuna Dibley is a lawyer at the global law firm Baker & McKenzie, where he works across the Dispute Resolution and Environmental Markets practices. Arjuna has worked in the Firm’s Jakarta offices and has been involved in many of the Firm’s Asian engagement initiatives. Arjuna previously worked as a researcher in Indonesian environmental, constitutional and criminal law at the University of Melbourne’s Asian Law Centre and at the ANU.

In his spare time, Arjuna runs a not-for-profit called the Australia-Indonesia Youth Association, an organisation which aims to better connect young Australians and Indonesians to one another and to better engage young people to develop an interest in the bi-lateral relationship.

Arjuna has spent over a decade living, working and studying in Indonesia, including a year researching the Indonesian Constitutional Court as a Prime Minister’s Australia Asia Award scholar.
ASSOCIATES

Dr Susi Dwi Harijanti
Susi Dwi Harijanti has a PhD in Law (2011) and a Master of Laws (1998), both from the University of Melbourne. She also has a Sarjana Hukum (S.H.) from the Faculty of Law, Padjadjaran University, Indonesia (1990). She is a Senior Lecturer in the Faculty of Law of Padjadjaran University. She was a member of the Editorial Board of the Law Journal of the Faculty of Law at Padjadjaran University (1998-2000) and head of the Constitutional Law Department (2007-2010). She is currently the Director of the Indonesian Community for Human Rights (PAHAM) in the Faculty of Law, Padjadjaran University (2007-present).

Dr Nadirsyah Hosen
Dr Nadirsyah Hosen has been working as a Senior Lecturer at the Faculty of Law, Monash University since 20 July 2015. Previously he was appointed as lecturer at the Law Faculty, University of Wollongong in 2007, and was promoted to Senior Lecturer in 2009. He has a Bachelors degree (UIN Syarif Hidayatullah Jakarta), a Graduate Diploma in Islamic Studies, and Master of Arts with Honours (University of New England), as well as a Master of Laws in Comparative Law (Northern Territory University). He completed his first PhD (Law) at the University of Wollongong and a second PhD (Islamic Law) at the National University of Singapore. He then worked for two years as a Postdoctoral Research Fellow at TC. Beirne School of Law, University of Queensland, where he taught ‘comparative anti-terrorism law and policy’ for LLM program. In June 2006, he was a visiting research fellow at the Institute of Defence and Strategic Studies (IDSS), Nanyang Technological University, Singapore. In June 2008, he was a visiting research fellow at Center for Integrative and Development Studies, the University of the Philippines.

His articles have been published in internationally recognised and refereed journals such as the Nordic Journal of International Law (Lund University), Asia Pacific Law Review (City University of Hong Kong), Australian Journal of Asian Law (University of Melbourne), European Journal of Law Reform (Indiana University), Asia Pacific Journals on Human Rights and the Law (Murdoch University), Journal of Islamic Studies (Oxford University), and Journal of Southeast Asian Studies (Cambridge University).

Dr Jeremy Kingsley
Dr Jeremy Kingsley is a legal scholar and anthropologist. He is a Senior Lecturer (tenure track) at Swinburne Law School, Melbourne, Australia and holds the prestigious Social Science Research Council (SSRC) Transregional Research Fellowship.

Dr Kingsley received his LLM and PhD degrees in Law at the University of Melbourne and his BA and LLB from Deakin University. He has been a Postdoctoral Research Fellow at the Asia Research Institute and then a Senior Research Fellow at the Middle East Institute, both at the National University of Singapore (NUS). While at NUS, he lectured at Tembusu Residential College and within the Comparative Asian Studies PhD Program.

His research has focused upon religious and political authority in Indonesia and how this affects local governance. Dr Kingsley is currently undertaking a research project titled: “Inter-Asian Legalities”, which examines transnational corporate lawyers in Jakarta, Dubai and Singapore. He has undertaken extensive field research primarily on the eastern Indonesian island of Lombok, as well as in Jakarta, Morocco and Dubai. His work has been published in academic and public affairs journals.
Dr Dave McRae

Dave McRae is a Senior Research Fellow at the Asia Institute, The University of Melbourne. He was previously a Research Fellow at the Lowy Institute for International Policy and a Visiting Fellow at the Department of Political and Social Change, Australian National University. Dave has researched conflict, politics, democratisation and human rights issues in Indonesia for over a decade. He wrote his PhD at the Australian National University on post-authoritarian inter-religious violence in Indonesia, explaining why civil war intensity violence could suddenly occur in a previously quiescent region. As Lead Researcher for the World Bank’s Conflict and Development Team in Indonesia between 2008 and 2010, he led a research program on interventions to prevent conflict and address its impacts. Prior to this, he worked for the Jakarta office of the International Crisis Group between 2004 and 2006, researching and writing reports on most of Indonesia’s major conflict areas.

Dave holds a Bachelor of Asian Studies (Specialist-Indonesian) degree with honours and university medal from the Australian National University, as well as a PhD in Southeast Asian Studies. He speaks fluent Indonesian.


Dr Antje Missbach

Antje is a senior lecturer and research fellow at the School of Social Sciences, Faculty of Arts, Monash University. She was previously a McKenzie Postdoctoral Fellow at Melbourne Law School researching ‘migration challenges of conflict refugees in the Indonesian limbo’. Her current research project deals with transit migration in Indonesia. In particular, she is interested in how conflict-generated refugees and asylum seekers deal with the ‘protractedness’ of being stuck in limbo – unable to return to their countries of origin, integrate into temporary host societies or relocate to permanent resettlement countries. She spent extensive time in the field in order to collect material for her latest project.

Antje studied Southeast Asian Studies and European Ethnology at Humboldt University in Berlin and obtained her PhD from the Australian National University, Canberra in 2010. Her previous research concentrated on the long-distance politics of the Acehnese Diaspora, which brought her to Malaysia, Aceh, Scandinavia, Australia and the USA. Her book *Politics and Conflict in Indonesia: The Role of the Acehnese Diaspora* was published in 2011 by Routledge and translated into Indonesian in 2012. Before coming to Melbourne, she held positions as post-doctoral fellow at the Berlin Graduate School for Muslim Cultures and Societies and as lecturer at the Ruprecht-Karls University in Heidelberg.

Mr Daniel Peterson

Daniel majored in Indonesian at Monash University and completed his honours thesis in 2004 on the ideologies underpinning the 2002 Bali bombings. In 2007, he completed the final semester of his LLB on exchange at Universitas Indonesia, before interning at Hadiputranto, Hadinoto and Partners. In 2008, he interpreted and translated for the Victorian Institute of Forensic Medicine in Timor-Leste as it conducted a forensic investigation into the Santa Cruz massacre of 1991. Following admission to legal practice, Daniel worked as an Indonesian language legal translator and taught Indonesian and Global Politics, before completing stints at the Sampoerna Foundation (in Jakarta) and the Australia-Indonesia Centre at Monash University. Daniel currently works at ACU’s Institute of Religion, Politics & Society on SHARIAsource, a shari’a database initiative of the Harvard Law School’s Islamic Legal Studies Program.
ASSOCIATES

Professor Arskal Salim
Professor Arskal Salim is a scholar of law in Muslim societies. He completed his early education mainly in Indonesia, and was trained in both Muslim traditional and modern school systems. Having graduated from the IAIN (State Institute for Islamic Studies) of Jakarta with a BA in Shari’ah law and an MA in Islamic Studies, he went to McGill University, Canada, for a two-semester postgraduate studentship.

In late 2006, after receiving his PhD from Melbourne Law School, University of Melbourne, he took up a postdoctoral research fellowship at the Max Planck Institute for Social Anthropology, Germany. He then moved to London in 2009 and was Assistant Professor at the Aga Khan University’s Institute for the Study of Muslim Civilisations until 2012 when he left to take up his appointment at the University of Western Sydney. He has now returned to State Islamic University in Jakarta, where he is Professor of Islamic Law Politics in the Faculty of Syariah and Law.

Associate Professor Kerstin Steiner
Kerstin Steiner is an Associate Professor in the College of Arts, Social Sciences and Commerce at La Trobe Law School. She was previously a senior lecturer at the Department of Law and Taxation, Monash Business School, Monash University.

Kerstin’s research interests include the study of Southeast Asian legal systems, touching on issues such as: comparative law methodology when undertaking Southeast Asian legal studies; notions of legal pluralism, in particular to the applicability of Islamic law in Southeast Asia; and implementation, adaptation and interpretation of international law in the Southeast Asian context.

She has held numerous visiting positions including being the first (female) non-Muslim visiting scholar at the Department of Shariah and Law, Academy of Islamic Studies, University of Malaya in 2009 and visited again in 2014; Associate Professor at the Graduate School of Politics and Law, Osaka University in 2010; and a visiting scholar position at the Centre for Socio-legal Studies, Oxford University in 2014. In 2016, she was commissioned by Human Rights Resource Centre to produce an expert report on the rule of law in Brunei for the ‘Rule of Law in ASEAN Region’.

Ms Cate Sumner
For over 20 years, Cate Sumner has worked in the Middle East, Asia and the Pacific, focusing on access to justice, human rights and judicial reform. She is the author of a number of publications on access to the Religious Courts for women and the poor. She is currently working with the Australia Indonesia Partnership for Justice (supported by AusAID) on a Legal Identity Programme looking at increasing access to legal identity documents (birth certificates, marriage certificates and divorce certificates) for women who are poor, vulnerable children and people with disability. Cate studied at Monash University (Arts/ Law) and the University of Brussels (Masters of International and Comparative Law).
McKenzie Postdoctoral Fellow

Dr Antje Missbach (2011-2014)
(see CILIS Associates, above)

Principal Research Assistants

Ms Faye Chan (2008-2016)
Faye was a principal research assistant at the Centre for Indonesian Law, Islam & Society (CILIS). She translates foreign-language materials (primarily in Dutch, Bahasa Indonesia & Bahasa Malaysia) and researches Southeast Asian current affairs (with particular emphasis on Indonesia, Malaysia, Singapore and Brunei Darussalam). She is also a multilingual translator for the e-journal Inside Indonesia.

Faye’s research interests include gender and Islam (comparing Southeast Asia and the Middle East, particularly in the area of family law), Islamic banking and finance, the contextual reading of the Qur’an as a feminist text, and inter-faith dialogues between Muslims, Jews and Christians. Her article “Religious Freedom vs. Women’s Rights in Indonesia: The Case of Mohammad Insa” was published in issue no.83 (2012) of Archipel, an Anglo-French academic journal. Faye is also a research assistant at the Faculty of Arts, and a tutor at the Murrup Barrak Institute for Indigenous Development (University of Melbourne) in their ITAS (Indigenous Tutorial Assistance Scheme) Academic Excellence Program.

She has a B.A. (Hons.) in Indonesian and Chinese Studies and an M.A. in History from the University of Melbourne, and is currently enrolled as a part-time PhD candidate in Law and Arts. The working title of her thesis is: ‘Control and Resistance: The Social and Legal Regulation of Chinese Indonesian Women, 1930-2014.’

Ms Sarah Rennie (2013-2015)
Sarah has a degree in Asian Studies and Laws with first class honours from the Australian National University, where she received a University Medal in 2009. Sarah worked in the advocacy team at Oxfam from 2010, where she coordinated projects to promote corporate accountability and employment rights, particularly in Indonesia and South East Asia. Sarah completed her Masters of Laws at the University of Melbourne and now works at Allens. Her interests include South East Asian culture, commercial law and corporate governance. Sarah speaks fluent Indonesian, proficient Malay and Japanese.
Ms Trish Prentice (2009-2015)

Prior to undertaking post-graduate studies, Trish spent time working in Australia and overseas in various fields, including secondary teaching, as a human rights officer in Geneva, Switzerland, and as a legal case officer for a federal government department.

Prior to joining the ALC and CILIS, Trish spent two years working in Cairo, Egypt, for an NGO focusing on inter-cultural dialogue and as an English editor for an Iraqi news service. The experience exposed her to both the theoretical and practical aspects of Islamic law, which sparked her interest in this area.

After returning to Melbourne, Trish completed her LLM in 2009 at the Law School, University of Melbourne, focusing on human rights and international law. In 2011, she was appointed Associate Director of a consulting firm based in Melbourne.

Mr Rifqi Assegaf (2015-current)

Rifqi Assegaf is a PhD candidate in the Melbourne Law School. He has previously served as assistant to the head of the Presidential Working Unit on the Supervision and Oversight of Development (UKP4), as head of research in the Judicial Mafia Task Force, and as director of the Indonesian Institute for an Independent Judiciary (LeIP).

Ms Hannah Ekers (2014-current)

Hannah is undertaking the Juris Doctor at the Melbourne Law School. In 2012, she spent a year on exchange to Indonesia, studying politics at Universitas Katolik Parahyangan and Indonesian, Javanese and community development at Universitas Gadjah Mada.

She spent two months living in a Javanese village on a development project, helping to run anticorruption workshops in schools and monitoring proceedings at the district court of Yogyakarta. She also ran weekly English classes in the local community. Hannah is a member of the Australian-Indonesian Youth Association and an Indonesian dance troupe named Sanggar Lestari who perform at various cultural events in Melbourne.

In 2014, Hannah received the Malcolm D.H. Smith Memorial Scholarship, for her commitment to, and interest in, an Asian society and was also the group leader of the Australian Indonesian Youth Exchange Program 2014/15.
Ms Alexandra Haydock (2016)
Alex is studying the Juris Doctor at Melbourne Law School, after completing a Bachelor of Arts and Diploma of Languages in Indonesian. Alex has studied the Indonesian language since primary school, and received the Malcolm D.H. Smith Memorial Scholarship in 2015, for her interest in pursuing a legal career in Asia. Alex is an alumna of the Australian Indonesian Youth Exchange Program 2013/14, where she lived in West Sumatra for two months, working on a community development project in a village and undertaking a short internship in the Bukittinggi Mayor’s Office, Department of Law and Human Rights. Alex worked at the Commonwealth Attorney-General’s Department for over four years, is a member of the Australian Indonesian Youth Association, and was the Indonesian Language Curator for the Language Barrier, a youth-run organisation aimed at increasing the level of language study in Australia. She is passionate about strengthening the Australia-Indonesia relationship, and hopes to work with Indonesia upon completing her graduate degree.

Ms Rebecca Lunnon (2011-2014)
Becca joined the Centre for Indonesian Law, Islam and Society (formerly, Centre for Islamic Law and Society) as a Research Assistant in 2011. After completing a BA in Anthropology and Indonesian from Monash University as a participant in the Dean’s Scholars Program, she spent a year volunteering in Indonesia as a lecturer at UNY and as a translator with the Wahid Institute. She has worked as a research analyst with a leading terrorism research centre in Singapore. She hopes to be involved further with social/NGO initiatives, in particular those addressing religious tolerance/intolerance, radicalism and extremism in Indonesia.

Mr Timothy Mann (2015-current)
See CILIS Staff, above.

Mr Nicholas Mark (2013)
Nicholas graduated from University of Sydney with a Bachelor of Arts (Indonesian and Chinese Studies) and a Bachelor of Law. In 2010, Nicholas received First Class Honours for his Indonesian Studies thesis on Indonesia’s Corporate Social Responsibility law, for which he spent six months researching and studying at Gadjah Mada University in Yogyakarta. In 2012, Nicholas published a children’s book in Bahasa, entitled ‘Petualangan Anak Indonesia’ (‘The Indoventurers’), in collaboration with an Indonesian illustrator and publisher. As President of the NSW Chapter of the Australia-Indonesia Youth Association, he is also dedicated to promoting Asian literacy and helping to build networks between Australians and the Indonesian community.
Ms Rheny Pulungan (2011-2014)
Rheny completed her PhD in the Asia Institute and Melbourne Law School under the supervision of Professor Tim Lindsey and Professor Andrew Mitchell. She graduated with an LLB in 2003 from Gadjah Mada University, Indonesia, where she received the university medal; and the LLM in 2007 from the University of Melbourne, majoring in international law.
Rheny’s research interests include international law, international law of the sea, international human rights law and Indonesian law. Her PhD thesis is about piracy and maritime terrorism in the Malacca Strait. Prior to undertaking her PhD, Rheny worked as a journalist for Tempo newspaper in Jakarta and taught international law at a university in Sumatra, Indonesia. She now lives permanently in Australia and is the Liaison Support Librarian (Teaching & Learning) in the Law Library at Melbourne Law School.

Ms Jessica Rae (2013)
Jessica Rae joined the Asian Law Centre in 2006 as a research assistant. She completed a Commerce/Law degree and Diploma of Modern Languages in Indonesian at The University of Melbourne. Jessica has spent time in Indonesia, and East Timor where she worked on the United Nations Development Programme ‘Strengthening the Justice System in Timor-Leste’ project. Her research interests include law reform, traditional justice systems and natural resource management in Indonesia and East Timor, and good governance in international territorial administrations.

Ms Nathalie Agnesia Suwanto (2013)
Nathalie is currently undertaking the Juris Doctor at Melbourne Law School and holds a Bachelor of Commerce from the University of Melbourne, majoring in Accounting and Finance. She is a native Indonesian speaker and received her primary and secondary education in Bandung, Indonesia. Nathalie has also completed an internship with a Public Notary and Solicitor in Indonesia. Her interests include corporate law, trusts law and property law.
Mr Aditya Tumakaka (2015-current)
Aditya joined the Centre for Indonesian Law, Islam and Society as a research assistant in 2015 and completed the Melbourne Juris Doctor in 2016. He holds a Sarjana Hukum (LL.B equivalent) in international law from Atma Jaya Catholic University. Prior to studying Juris Doctor, Aditya worked as a commercial lawyer in a top tier firm in Jakarta, practising in the areas of banking and finance, merger and acquisition and commercial litigation. He is a qualified Indonesian advocate and soon will qualify to practise law in Australia, when he completes his study and the Practical Legal Training.

Aditya has spent time in Indonesia working with the Wahid Institute and the National Commission on Human Rights (Komisi Nasional Hak Asasi Manusia). During this time, he gained in-depth knowledge of interfaith dialogues, religious freedom and protection of minority rights.

Ms Samantha Wimala (2015-2016)
Samantha has completed the JD at Melbourne Law School. She holds a BSc (Hons) and a PhD in Organic Chemistry from the University of Melbourne. Samantha spent two years and three months in Canberra working as a postdoctoral researcher for the Research School of Chemistry before enrolling in the JD program in 2014. She previously worked at a local law firm in Singapore, assisting the partners in the family law practice area.

Ms Alison Youssef (2013-2015)
Alison has completed the Juris Doctor at Melbourne Law School, prior to which she completed a BA (Psychology) and Diploma of Languages (Indonesian). During her tertiary studies at the University of Melbourne, Alison has studied abroad in both Indonesia and the Netherlands, participated in the Australia-Indonesia Youth Exchange Program (AIYEP), and has volunteered in the criminal justice and social research sectors. Her interests include cross-cultural negotiation and mediation strategies, traditional Indonesian dancing and South-East Asian culture. In the future, Alison hopes to assist with the strengthening and promotion of Australia-Indonesia relations.
Obituary: Professor Adnan Buyung Nasution

With the death on 23 September 2015 of Professor Dr Iur Adnan Buyung Nasution, 81, CILIS Senior Associate and MLS alumni and Honorary Professor, Indonesia lost one of its greatest champions of the rule of law.

Bang Buyung, as he was affectionately known, was among Indonesia’s leading lawyers and trial advocates and its foremost thinkers on law reform and human rights. He also pioneered legal aid for the poor and marginalised, and turned cause lawyering into a potent form of political activism.

Buyung devoted his life to the hope that Indonesia would one day become a true negara hukum (rule of law state). Although he died with this dream unfulfilled, he helped bring it closer to realisation than ever before in Indonesian history.

Buyung earned a Law Degree from the University of Indonesia in 1964, and studied International Law under Professor Leiser at the University of Melbourne in 1959. In 1992, he completed a PhD at Rijksuniversiteit Utrecht, Holland, the topic of his thesis being “The Aspiration for Constitutional Government in Indonesia”. This was later published in a number of languages and became a classic text on Indonesian constitutional history.

Buyung’s long career in the law saw him involved in most aspects of law and justice in Indonesia. From 1957 to 1968, he served as a prosecutor and head of public relations at the Kejaksaan, or Public Prosecutor’s Office. From 1966 to 1968, he was also a member of the national legislature, the Dewan Perwakilan Rakyat (DPR).

After leaving both the prosecution service and the DPR, Buyung established his own law office, Adnan Buyung Nasution & Partners, and in 1970 took the historic step of founding the first legal aid and human rights office in Indonesia. This later became Lembaga Bantuan Hukum (Legal Aid Institute) or LBH, and for much of the New Order period it was a key source of political opposition. It also became a training ground for young cause lawyers, most mentored by Buyung and many now holding leadership positions of national importance.

In establishing LBH, Buyung was inspired by his studies in the Melbourne Law School, where he was introduced to local legal aid organisations, and worked as a volunteer. It was therefore a source of pride to him that he was appointed an honorary professorial fellow in that same faculty in 2010.

Under the authoritarian rule of President Soeharto, Buyung was the leading dissident lawyer in Indonesia, and was involved in many subversion trials as defence counsel, usually on a pro bono basis. He led these doomed defences to demonstrate the regime’s cynical manipulation of the legal system. This he did to great effect, often winning global attention and reminding the world of the systemic corruption and repression that underpinned the New Order.

In fact, Buyung became an influential and powerful critic of violations of human rights and rule of law by Indonesia’s military-backed government. He developed a sophisticated and highly influential critique of the New Order system, which he articulated
at every opportunity. He did all this at considerable personal risk. At different times he suffered arrest, imprisonment, loss of his practicing rights and threats against his life, and was forced into exile in the Netherlands for four years. He remained undeterred by the regime’s attempts to silence him, however, and always returned to act for the poor and dispossessed.

Buyung’s outstanding contribution to human rights and access to justice in Indonesia were acknowledged internationally. He won awards for legal aid in Stockholm as early as 1976 and in London the following year. In Indonesia, however, he continued to face harassment from government and military officials wherever he went.

The ideas about democracy and constitutionalism Buyung developed during his years of opposition later made an important contribution to the Reformasi (Reform) movement that emerged after the New Order finally collapsed amid economic chaos in 1998. Buyung’s thinking and his own example of commitment to change played a part in Indonesia’s transformation from an authoritarian regime to a vibrant, multiparty democracy. His work helped form the thinking of many of the reformers who reconstructed Indonesia’s constitution over four years from 1999 to 2002. The new constitution they produced enshrined democratic principles, including, in particular, separation of powers, as Buyung had always urged.

In 2000, just a couple of years after the end of the regime he had opposed for so long, Buyung’s life-long campaign for the rule of law was finally recognised by his own country when he received the Bintang Maha Putra, one of the highest honours the republic can award.

Around this time, Buyung returned to private legal practice and was soon earning high fees in high profile cases. He was much criticised by his cause lawyer colleagues for representing notorious figures associated with the New Order, like former General Wiranto and, later, corruptors, such as Gayus Tambunan. Buyung’s reply was always that rule of law depended on unpopular defendants being able to obtain proper representation. He argued for the “taxi-rank” principle, saying that advocates should never refuse clients simply because they do not like or agree with them. Indonesian lawyers, he said, needed to be more professional.

In his last decade, when many others would be enjoying retirement, Buyung championed efforts to reform and reorganise the legal profession in his country. The result was a major new statutory scheme for regulating lawyers. This was intended to create the single independent, ethical and self-disciplining bar in Indonesia that Buyung rightly saw as one of the most important missing pieces in Indonesia’s legal system.

To Buyung’s great disappointment and frustration, this reform was quickly sabotaged by those who had every reason to fear ethical discipline, and Indonesian lawyers remain fractious, disunited and undisciplined. For him, this failure symbolised the flawed and incomplete state of rule of law in Indonesia. It concerned him deeply in his last years, despite all that had been achieved.

In 2007, Buyung retired from LBH’s board of trustees and became a member of the Presidential Advisory Council (Wantimpres). This prestigious constitutional body advises the president and during Buyung’s term it often played a role as a policy watchdog too. Buyung’s appointment to the council by President Susilo Bambang Yudhoyono marked his return to government after almost four decades. It was a signal statement of how much Indonesia had changed for the better since he founded LBH in 1970, a transformation Buyung helped deliver.

Indonesia has lost an exceptional lawyer, thinker and political activist. Adnan Buyung Nasution achieved a great deal for Indonesia, against extraordinary odds, even if it was never as much as this ambitious and driven man hoped. He has left a significant legacy of reform, an example of professionalism for other lawyers, and a clear vision of what a true Indonesian negara hukum might one day be.

As he was dying, Buyung gave his last words, scrawled on a sheet of paper, to Professor Todung Mulya Lubis, once Buyung’s protégé and now another of Indonesia’s top lawyers. In it Buyung called for the defence of legal aid, and the continuation of his thinking and the struggle to help the poor and marginalised. This now stands as a challenge to the lawyers, activists and reformers who survive him.

Tim Lindsey

## Visiting Scholars

<table>
<thead>
<tr>
<th>Arrival Date</th>
<th>Visiting Scholar</th>
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</table>
| 21-22 May 2013 | Mr Richard Woolcott AC  
Founding Director, Asia Society AustralAsia Centre, Australia |
| 1 October 2013 – 15 February 2014 | Dr Dina Afrianty  
Syarif Hidayatullah State Islamic University (UIN), Jakarta, Indonesia |
| 1-31 October 2013 | Dr Melissa Crouch  
Research Fellow, Centre for Asian Legal Studies, Faculty of Law, National University of Singapore, Singapore |
| 3-20 December 2013 | Dr Jeremy Kingsley  
Lecturer and Research Fellow, National University of Singapore, Singapore |
| 1 October 2013 - 15 February 2014 | Dr Dina Afrianty  
Syarif Hidayatullah State Islamic University, Jakarta, Indonesia |
| 3-4 December 2013 | Professor M. B. Hooker  
Australian National University |
| 3-4 December 2013 | Emeritus Professor Virginia Hooker  
Australian National University |
| 3-4 December 2013 | Associate Professor Greg Fealy  
Australian National University |
| 3-4 December 2013 | Dr Nadirsyah Hosen  
University of Wollongong |
| 3-4 December 2013 | Dr Arskal Salim  
University of Western Sydney |
| 7 May 2014 - 18 June 2014 | Dr Jamhari Makruf  
Deputy Rector, Universitas Islam Negeri Syarif Hidayatullah, Jakarta, Indonesia |
| 6-11 October 2014 | Dr Todung Mulya Lubis  
Founder and Senior Partner, Lubis Santosa & Maramis Law Firm, Jakarta, Indonesia |
| 11-12 November 2014 | Emeritus Professor Virginia Hooker  
Australian National University |
| 11-12 November 2014 | Associate Professor Greg Fealy  
Australian National University |
| 11-12 November 2014 | Dr Kerstin Steiner  
Monash University |
| 11-12 November 2014 | Dr Nadiryah Hosen  
University of Wollongong |
| 23-25 March 2015 | Professor David Linnan  
Law School, University of South Carolina, USA |
### VISITING SCHOLARS

<table>
<thead>
<tr>
<th>Arrival Date</th>
<th>Visiting Scholar</th>
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| 9-14 August 2015 | Professor Jimly Asshiddiqie  
Professor of Constitutional Law, Faculty of Law, University of Indonesia, Indonesia |
| 23-28 August 2015 | Dr Todung Mulya Lubis  
Faculty of Law, University of Indonesia, Indonesia |
| 5 October 2015 - 29 November 2015 | Professor Jamhari Makruf  
Deputy Rector, Universitas Islam Negeri Syarif Hidayatullah, Jakarta, Indonesia |
| 24-25 November 2015 | Associate Professor Greg Fealy  
Australian National University |
| 24-25 November 2015 | Emeritus Professor Virginia Hooker  
Australian National University |
| 24-25 November 2015 | Dr Nadirsyah Hosen  
Monash University |
| 24-25 November 2015 | Emeritus Professor Merle Ricklefs AM  
Australian National University |
| 30 November 2015 - 22 December 2015 | Dr Jeremy Kingsley  
National University of Singapore, Singapore |
| 4 April 2016 – 31 December 2016 | Professor Denny Indrayana  
Gadjah Mada University, Indonesia |
| 12-17 November 2016 | Professor Jamhari Makruf  
Deputy Rector, Universitas Islam Negeri Syarif Hidayatullah, Jakarta, Indonesia |
| 14-17 November 2016 | Associate Professor Greg Fealy  
Australian National University |
| 14-17 November 2016 | Emeritus Professor Virginia Hooker  
Australian National University |
| 15-16 November 2016 | Dr Nadirsyah Hosen  
Monash University |
| 15-16 November 2016 | Emeritus Professor Merle Ricklefs AM  
Australian National University |
| 27 November 2016 – 11 December 2016 | Assistant Professor Daniel Pascoe  
School of Law, City University of Hong Kong, Hong Kong |
The Australian Journal of Asian Law

*The Australian Journal of Asian Law* (AJAL) is a well-regarded forum for debate for scholars and professionals concerned with the laws and legal cultures of Asia. It aims for recognition as a leading medium for scholarly and professional discourse in a region characterised by rapid growth and social change. It was a joint initiative of the members of the Asian Law Centre at the University of Melbourne and the Law Faculty of the Australian National University, with support and advice from Australian and international colleagues, it is edited in the Melbourne Law School by Professor Tim Lindsey, Dr Helen Pausacker and (until July 2013) Dr Melissa Crouch.

*The Australian Journal of Asian Law* publishes two issues annually. The journal was initially available in hardcopy, published by Federation Press. From issue 13(1) in 2012, *The Australian Journal of Asian Law* has been available without charge in electronic form through SSRN.


AJAL Executive Editors

**Professor Tim Lindsey, The University of Melbourne**

(see CILIS Staff, above)

**Dr Helen Pausacker**

(see CILIS Staff, above)
AJAL Editorial Board

Dr Melissa Crouch, National University of Singapore (2012-mid 2013)
(see CILIS Associates, above)

Professor Richard Cullen, University of Hong Kong
Richard is a Visiting Professor in the Faculty of Law at the University of Hong Kong. Prior to his current appointment, Richard was a lecturer and senior lecturer in the Faculty of Law at Monash University from 1987 until 1991; and Professor and Head of the Department of Business Law and Taxation from mid-1999 to mid-2001. He was an Associate Professor at the School of Law at Deakin University in 1997. Richard has also held positions at the School of Law at the City University of Hong Kong from 1991-1997, including as Acting Head of the Department of Professional Legal Education from 1992 to 1994. He was a Visiting Professor at this university from August 2001-August 2003.

Richard has written and co-written several books and more than 100 articles, notes and commentaries and has been the recipient of a range of major and minor research grants. Richard's books include Federalism in Action (1990) and Media Law in the PRC (1996) with H.L. Fu, Electing Hong Kong’s Chief Executive (2010 - English, 2011 - Chinese) with Simon Young; and Green Taxation in East Asia (2011) edited Xu, Yan and Jefferson VanderWolk).

Professor M.B. Hooker. Australian National University
(see CILIS Senior Associates, above)
Professor Veronica Taylor, Australian National University

Veronica Taylor was Dean of the ANU College of Asia and the Pacific from 2014 to 2016. She directed the Research School of Asia and the Pacific. She was previously Director of the Regulatory Institutions Network (RegNet) (2010-2014) and Director of the (former) School of Regulation, Justice and Diplomacy.

Prior to joining the ANU she was Director of the Asian Law Center at the University of Washington, Seattle (2001-10) and remains a Senior Advisor to that Centre. In 2010 she was the inaugural Hague Visiting Professor in Rule of Law – a chair funded by the City of the Hague and hosted by the Hague Institute for the Internationalization of Law (HiIL) and Leiden University’s Van Vollenhoven Institute.

Professor Taylor has over twenty five years’ experience designing and leading rule of law and governance projects for the U.S. Department of State, the U.S. Agency for International Development, the World Bank, the Asian Development Bank and AUSAID. Her projects have focused on Afghanistan, Armenia, Australia, Azerbaijan, Bulgaria, China, Egypt, Indonesia, Japan, Mongolia, the Philippines, Vietnam and the United States.

Prior to taking up her appointment at the University of Washington she held positions as Visiting Associate Professor at the University of Tokyo, research affiliate with the Australia-Japan Research Centre at ANU, and as Associate Director of the Asian Law Centre, University of Melbourne.

Associate Professor Amanda Whiting, The University of Melbourne

Dr Amanda Whiting joined the Faculty of Law at The University of Melbourne as a Lecturer in 2004. She been a member of the Asian Law Centre since 1999. Her research is in the area of human rights institutions and practices in the Asia-Pacific Region, gender and religion, and Malaysian legal history. She is Associate Director (Malaysia) of the Asian Law Centre.

Amanda completed her honours degree in Arts at the University of Melbourne in 1981 and then taught seventeenth and eighteenth century history at the University’s History Department over the next decade. She also has a Diploma of Education (1988) and a Graduate Diploma of Indonesian (1995) which was partly undertaken at Universitas Kristen Satya Wacana, Indonesia. She completed her LL.B. with First Class Honours in 2001. In 2007 she completed her doctorate - a feminist analysis of mid-seventeenth century English legal and political history. Her book Deference, Difference and Dissent: Women and Petitioning in the Seventeenth-Century English Revolution was published by Brepols in 2014.

She is the author of several articles and book chapters about contemporary Malaysia, dealing with: human rights, gender relations, political Islam and Islamic law and the legal profession, and she is the co-editor (with Carolyn Evans) of Mixed Blessings: Laws, Religions and Women’s Rights in the Asia Pacific Region (Leiden: Martinus Nijhoff, 2006); and (with Andrew Kenyon and Tim Marjoribanks) of Democracy, Media and Law in Malaysia and Singapore: A Space for Speech (Routledge, forthcoming).

Amanda has been involved with the Australian Journal of Asian Law since its inaugural issue in 1999 and has been an editor since 2002. With Professor Tim Lindsey, she edited and contributed to Doing Business in Indonesia (Singapore, CCH: 2000).
AJAL Journal Articles (2013)

Articles


Case Note

Book Reviews

Essays

Hooker, MB (2013), ‘Maria was a Christian - Nadra was a Muslim: Hertogh Revisited’, 14(2) Australian Journal of Asian Law, Article 8: 1-35.


Review Essays


Legislative Update
AJAL Journal Articles (2014)

Articles


Addendum

Book Reviews


AJAL Journal Articles (2015)

Articles


Tahura, Ummey Sharaban, Kelly, MRLL (2015), ‘Procedural Experiences from the Civil Courts of Bangladesh: Case Management


**AJAL Journal Articles (2016)**

**Articles**


Godwin, Andrew; Ramsay, Ian; and Stamboulakis, Drossos (2016), ‘Shadow Banking and Regional Coordination in Asia: Risks, Challenges and Benefits,’ 17(2) *Australian Journal of Asian Law*, Article 4.


Yam, Julius (2016), ‘The Role of Courts in Hybrid Regimes and a Reconceptualisation of Separation of Powers: The
Case of Fillbuster in Hong Kong,’ 17(1) *Australian Journal of Asian Law*, Article 3.


**Review Essays**


**Book Reviews**


**In Memoriam**

CILIS Events

Conferences and Workshops

Biographical details of presenters were correct at the time the events were held. Some of these details, particularly organisational affiliations, may now have changed.

“Drugs and the Death Penalty in Southeast Asia”
(with the Asian Law Centre)

15 October 2013

In recent years, an increasing number of Australians have been arrested in these countries for drug offences. They face very serious penalties, including death or life imprisonment. There is, however, a lack of accurate information in this country regarding how drugs trials are conducted in the region, let alone detailed knowledge of applicable laws and procedure. This conference aimed to respond to the resulting acute need for detailed comparative material on criminal laws and judicial processes in Indonesia, Vietnam and Singapore, so better support can be provided both for Australians facing drug-related charges and for Australian governments developing policies and strategies in response to the issues these trials create.
Conferences and Workshops

CILIS Annual Islamic Studies Postgraduate Conference
Hosted by the Centre for Indonesian Law, Islam and Society

This conference brought together postgraduate students around the world who are researching topics relating to Islam. It provided students with a supportive, collegial atmosphere and the opportunity to meet students with similar interests. Students benefit from feedback received from their peers and selected academic experts in the field. Special sessions on thesis-writing and small-group feedback on student research were included as part of the program.

Postgraduate students from any university were invited to present papers on their current research. Each speaker presented papers on their proposed topics for 15 minutes with the aid of a PowerPoint slideshow. Questions and discussions took place after all speakers of a panel had presented. Post-presentation, the entire panel and their respective mentors participated in a closed feedback session.

The first gathering of Islamic Studies postgraduate students was hosted by Emeritus Professor Merle Ricklefs in his own home, with the support of Professors Virginia and M.B. Hooker.

For further information see http://law.unimelb.edu.au/centres/cilis#engagement and https://www.facebook.com/CILISPostgradConference/
CILIS 9th Annual Islamic Studies Postgraduate Conference, 3-4 December 2013
Mentors included: Professor M. B. Hooker, Emeritus Professor Virginia Hooker (Australian National University), Associate Professor Greg Fealy (Australian National University), Dr Nadirsyah Hosen (University of Wollongong) and Dr Arskal Salim (University of Western Sydney).

CILIS 10th Annual Islamic Studies Postgraduate Conference, 11 & 12 November 2014
Mentors included Professor Tim Lindsey (Melbourne Law School), Emeritus Professor Virginia Hooker (Australian National University), Professor Abdullah Saeed (Asia Institute), Associate Professor Greg Fealy (Australian National University), Dr Kerstin Steiner (Monash University) and Dr Nadiryah Hosen (University of Wollongong).

CILIS 11th Annual Islamic Studies Postgraduate Conference, 24 & 25 November 2015
Mentors included Associate Professor Greg Fealy (Australian National University), Emeritus Professor Virginia Hooker (Australian National University), Dr Nadirsyah Hosen (Monash University), Professor Tim Lindsey (Melbourne Law School), Professor Jamhari Makruf (Australian National University), and Emeritus Professor Merle Ricklefs (Australian National University).

CILIS 12th Annual Islamic Studies Postgraduate Conference, 15 & 16 November 2016
Mentors included: Associate Professor Greg Fealy (Australian National University), Emeritus Professor Virginia Hooker (Australian National University), Dr Nadirsyah Hosen (Monash University), Professor Denny Indrayana (University of Gadjah Mada and Melbourne Law School), Professor Jamhari Makruf (UIN Syarif Hidayatullah, Indonesia) and Emeritus Professor Merle Ricklefs (Australian National University).
MAJOR ACTIVITIES

Major Activities and Events

CILIS Launch - “Indonesia and Australia in the Asian Century”

21 May 2013

The Asian Century, driven by the unprecedented transfer of wealth and influence from the West to the East, offers opportunities to Indonesia and Australia to enhance their cooperation to their mutual advantage, if they take them. Richard Woolcott launched CILIS by addressing the challenges ahead in the bilateral relationship as well as the opportunities, and the need for a fundamental change in Australia’s national psyche, focussed more on Asia than on our traditional links with the United States, the United Kingdom and Europe.

Richard Woolcott AC is the Founding Director of the Asia Society AustralAsia Centre and has been a member of the Australian American Leadership Dialogue since 1992. He is also a member of the International Council of the New York-based Asia Society.

Mr Woolcott was closely involved with the establishment of the Asia Pacific Regional Economic Cooperation forum (APEC). He has carried out Special Envoy roles for Prime Ministers Holt, Whitlam, Hawke, Howard and, most recently, Rudd. He was made an Officer in the Order of Australia in 1985 and a Companion in the Order in 1993. He was awarded the Bintang Mahaputra Utama by the Government of Indonesia in 2000 for his contribution to bilateral and regional relationships. He was awarded the 2008 Sir Edward “Weary” Dunlop Asia Medal for his contribution to Australia’s relationships with Asian countries. In 2008, he was selected as one of the inaugural Fellows of the Australian Institute of International Affairs. He was awarded an honorary degree of Doctor of Laws by the University of Melbourne in March 2012 and gave the 15th Annual Hawke Lecture in Adelaide in November 2012.

Mr Woolcott has contributed articles to leading Australian and overseas newspapers and journals. He is the author of The Hot Seat: Reflections on Diplomacy from Stalin’s Death to the Bali Bombings, published in 2003 by Harper Collins and Undiplomatic Activities, published by Scribe in 2007.

Three publications were also launched at the seminar:

- *Islam, Law and the State in Southeast Asia* (series of three volumes), by Tim Lindsey and Kerstin Steiner
- *The Constitution of Indonesia*, by Simon Butt and Tim Lindsey

The Launch is available online at https://www.youtube.com/watch?v=3-lKSmmN0XQ
Miegunyah Public Lecture 2014

“Incubators for Extremists? Radicalism and Moderation in Indonesia’s Islamic Education System”

Dr Jamhari Makruf

10 June 2014

Hosted by the Centre for Indonesian Law, Islam and Society and Melbourne Law School and generously funded by the Miegunyah Distinguished Visiting Fellowship Program.

Islamic schools and universities in Indonesia have been accused of producing militant Islamist extremists. The Bali bombers, for example, attended ‘hard-line’ schools and the recent spate of book-bombs targeting champions of Islamic moderation were sent by a student at the State Islamic University. But is this perception actually correct? This lecture looked at the struggle between moderate and extremist ideas in Indonesia’s madrasahs and Islamic tertiary institutions and its implications for Australian policy.

Dr Jamhari Makruf is the Chair of Indonesia’s national Taskforce on Islamic Education Reform and Vice Rector at the State Islamic University (Universitas Islam Negeri Syarif Hidayatullah - UIN) in Jakarta.

Dr Makruf has led a major, nationwide effort to reform Indonesia’s Islamic tertiary system, introducing an unprecedented new curriculum that will integrate secular sciences with the Islamic religious studies traditionally taught. He has used his own university as a model for these reforms. In doing so, Dr Makruf’s intent is to combat extremist thought, at the same time seeking to better equip the hundreds of thousands of Muslims who graduate every year from these universities with the skills they need to compete in a fast-transforming economy.

Dr Makruf is the author of numerous publications on Islamic education. He obtained his PhD in Anthropology from the Australian National University in 2000, after completing a Masters by research there in 1996. His undergraduate degree in Islamic Theology was obtained from the State Islamic Institute in Jakarta in 1990. In addition to two AusAID scholarships, Dr Makruf won a Fulbright Scholarship to the University of Boston in 2004. He was selected for an Asian Leaders Fellowship by the Japan Foundation (2008) and has received significant research grants from the Japan Science Research Program (2005-8) and the Japan ASEAN Integrative Fund (2008-2011). In 2008, he was a finalist in the Australian Embassy’s ‘Best Australian Alumni’ Awards.
MAJOR ACTIVITIES


Professor Jimly Asshiddiqie

11 August 2015

Should democratic countries apply the death penalty? Does Islam require the death penalty? Are executions a breach of human rights? Is religion an obstacle to the human rights reform?

Professor Asshiddiqie explored Islamic attitudes to the death penalty and argued that all contemporary cultures – whatever their origin and whatever their religious context – face challenges in reconciling the death penalty with the right to life. The experiences of the United States (the world’s largest Christian society), India (the largest Hindu society), and Indonesia (the largest Muslim society) suggest, however, that religion is not always an obstacle to democracy or human rights reform, even if all these countries still execute. Professor Asshiddiqie concluded that increasing acceptance of democracy and international human rights norms as a global civilizational aspiration is forcing reconsideration of the death penalty in the legal systems of many societies - including Muslim majority states like Indonesia.

Professor Jimly Asshiddiqie is a leading Indonesian legal figure, both as a scholar and a prominent public official. As founding Chief Justice of Indonesia’s first Constitutional Court (2003-2008) he established a new branch of the judiciary and developed a process of constitutional review of statutes that had long been missing in Indonesia. He helped set a new standard in Indonesian courts for reasoned judgments drawing on international jurisprudence, as well as pioneering publication of judgments. He also led the Constitutional Court when it decided a challenge to the death penalty in 2007.

He is now chair of the Honorary Council of the Electoral Management Bodies and of the Advisory Council to the National Commission of Human Rights. He has advised presidents and the national legislature on legal and political issues, and has twice been decorated for his contributions to Indonesian law reform and state administration. Professor Asshiddiqie studied at the University of Indonesia, Leiden University and Harvard, and is Professor of Constitutional Law at the University of Indonesia. He has published more than 40 books, some in English, creating an important resource for emerging constitutional thought on democracy in Indonesia.

This free public lecture was presented jointly by the Centre for Indonesian Law, Islam and Society, the Asian Law Centre and the Melbourne Law School, with the generous support of Mr Allan Myers AO QC and Mrs Maria Myers AO.

A video of the event is available at https://www.youtube.com/watch?v=c7FKmDujP_M
“Current Issues in Indonesian Law and Politics”

Mohammad Mahfud MD

21 October 2016

CILIS hosted a Roundtable Discussion discussing aspects of the Indonesian legal and political affairs with Mahfud MD, former Chief Justice of the Indonesian Constitutional Court (2008 – 2013)

Mohammad Mahfud MD is an Indonesian politician and lawyer. He was the Chief Justice of the Indonesian Constitutional Court and a member of the People’s Representative Council (DPR) for the National Awakening Party (PKB). He was also the Minister of Defense and Minister of Justice and Human Rights under the Wahid Presidency. He completed his five-year term as chief justice in April 2013. Mahfud holds a master’s degree in political science and a doctorate in constitutional law (1993) from Gadjah Mada University in Yogyakarta. Since 1984, he has also been a professor of constitutional law in the Faculty of Law at the Islamic University of Indonesia (UII) in Yogyakarta. He is currently also the Chair of the Constitutional and Administrative Law Lecturer Association of Indonesia.

CURRENT ISSUES IN INDONESIAN LAW AND POLITICS

Mahfud MD

Chief Justice of the Indonesian Constitutional Court
(2008 - 2013)

Room 831, Level 8, Melbourne Law School
185 Pelham Street, Carlton

Friday 21 October, 11.00am - 12.00pm
All welcome. RSVP essential.
Morning tea will be provided.
CILIS Evening Seminar Series

The CILIS Research Seminars are informal seminars, which are often presented by postgraduate students. These seminars are open to the public but are usually attended by the University community. Students are able to gain feedback on their current research, while contributing to knowledge in their field.

“Is Indonesia as Corrupt as Most People Believe and Is It Getting Worse?”

17 July 2013

Many Indonesians consider their country one of the most corrupt in the world, and think it is getting worse. But is it really that bad? It could be argued that the publicity resulting from efforts to curb corruption in Reformasi Indonesia - where the press is free – has created the impression that corruption is getting worse, when the situation is, in fact, improving. Who is right? And what are the prospects for reducing corruption once Yudhoyono steps down in 2014?

A panel of experts considered these questions and examined the problems of measuring corruption, including the various indexes. They discussed post-Soeharto anti-corruption reforms, the role of Indonesia’s Anti-Corruption Commission (KPK), the high level of publicity surrounding corruption cases, and how the KPK has become the target of continuing political attack.

Associate Professor Simon Butt is an ARC Australian Postdoctoral Research Fellow and Associate Director (Indonesia) for the Centre for Asian and Pacific Law at The University of Sydney, where he teaches Indonesian law. He has written widely on aspects of Indonesian law, including in two recent books: Corruption and Law in Indonesia and The Constitution of Indonesia: A Contextual Analysis (with Tim Lindsey).

Professor Howard Dick is an Asia specialist working primarily on Indonesia and Southeast Asia. His interests include applied economics, Asian laws, Asian business and the Asian business environment. He has written extensively on Indonesia and Southeast Asia, including in Corruption in Asia: Rethinking the Governance Paradigm (with Tim Lindsey). His current research focuses on issues of corruption and governance and the difficulties of driving institutional change by formal legal reform. He is a regular media commentator on Australia-Asia relations.

Kanti Pertiwi has worked with Indonesia’s Anti-Corruption Commission (KPK). An academic in the Faculty of Economics at the University of Indonesia, she was awarded the Prime Minister’s Australia Asia Award in 2010 to undertake research on organisational corruption, and has written for The Jakarta Post and The Jakarta Globe. She has a Master’s degree in Applied Commerce (International Business) from The University of Melbourne, where she currently is a PhD candidate. She commented on the presentations of Associate Professor Butt and Professor Dick.

“The Indonesian Election: What Really Happened” (with the Electoral Regulation Research Network)

14 April 2014

The Centre for Indonesian Law, Islam and Society and the Electoral Regulation Research Network presented a ‘post-mortem’ panel discussion analysing how the election was conducted, the results, what they meant for Indonesia’s future and the forthcoming presidential elections, and the implications for troubled relations with Australia.

Indonesia voted on 9 April 2014, with a total of 20,893 legislative seats contested across the archipelago, from the national to local levels. This was one of the most significant elections in Indonesian history. At the national level, the DPR (national legislature) was arguably the single most powerful political entity in the country, and provincial and district legislatures are major centres of power in the regions. After the decade of Yudhoyono’s administration,
Indonesia faced an uncertain future. The parties who won the largest number of seats in this election would be able to play a key role in deciding whether to consolidate the gains of Reformasi or follow a new path altogether. This election also signaled generational change in Indonesian politics. More Indonesians voted for the first time than ever before, and more of them were middle class. This began to influence policy some years ago, but in this election their preferences were sure to dominate the outcome. The results of this election also determined which parties can nominate candidates for the July presidential and vice-presidential elections. The popular vote on 9 April gave a strong indication as to who was likely to be sworn in as Indonesia's 8th president in October.

Presenters included:

- **Dr Dirk Tomsa**, Senior Lecturer, Department of Politics and International Relations, Faculty of Humanities and Social Science, La Trobe University
- **Dr Vannessa Hearman**, Lecturer, Indonesian Studies, School of Languages and Cultures, the University of Sydney
- **Professor Thomas Reuter**, ARC Future Fellow, Asia Institute, the University of Melbourne
- **Dr Dave McRae**, Visiting Fellow, Department of Political and Social Change, Australian National University – live video-link from Indonesia

Videos of the event are available at https://www.youtube.com/channel/UCS5e8ifHhJCHRXT9u6DfBw/featured

**“Indonesia’s Presidential Election: Law Reform Challenges for the New Administration” (with the Asian Law Centre)**

**Dr Todung Mulya Lubis**

8 October 2014

The elections of 2014 are a critical juncture in Indonesian history. Fifteen years after the end of the authoritarian New Order, and after ten years of democratic rule under Yudhoyono, Indonesians must decide whether to consolidate the democratic reforms introduced after the fall of Soeharto, or dismantle them. This choice has polarised Indonesia and many feel confused by events. In this lecture, Dr Lubis looked at the increasingly divisive debate over democracy and Reformasi in Indonesia to assess whether his country will move backward or forward after the new administration is sworn in on 20 October, 2014. He focused on human rights and other key areas of law reform that need attention, as well as the threats they face, to set out an agenda for getting Indonesian Reformasi back on track.

**Dr Todung Mulya Lubis** is one of Indonesia’s leading human rights lawyers and most influential legal thinkers. He completed his undergraduate Law degree at the University of Indonesia (1974); his LLM at the University of California, Berkeley; a second LLM at Harvard Law School; and his JSD at the University of California, Berkeley. He has been a senior Adjunct Member of the Faculty of Law, University of Indonesia since 1990, where he was first appointed in 1975. From 1980-1983, he was Director of Indonesia’s famous dissident NGO, the Legal Aid Foundation, where he worked for many years. His influential 1983 scholarly book *In Search of Human Rights: Legal-Political Dilemmas of Indonesia’s New Order 1966 – 1990* played an important role in defining democratic thinking about human rights in Indonesia. Dr Lubis is also Founding and Senior Partner of a prominent law firm in Jakarta and has been lead counsel in a number of major human rights cases, often on a pro bono basis. These include acting for the Bali Nine in an attempt to convince Indonesia’s Constitutional Court to abolish the death sentence and against President Soeharto. He has also held a series of senior government appointments. In 2014, he was appointed as Honorary Professor at the Melbourne Law School, The University of Melbourne.

A video of the event is available at https://www.youtube.com/watch?v=5eDRIwch16s
“Death, Drugs and the Bali Nine” (with the Asian Law Centre)

Professor Tim Lindsey

21 April 2015

Professor Tim Lindsey provided an overview of legal and constitutional issues involved in the case of the two Australians who were (at that time) facing execution in Indonesia for serious drugs offences, Myuran Sukumaran and Andrew Chan. Tim also explored the implications for the future of reform in Indonesia, and its bilateral relationship with Australia.

For speaker biography, see CILIS Staff, above.

“What's Happening to the Jokowi Presidency?”

5 May 2015

President Joko ‘Jokowi’ Widodo was sworn in last year in a wave of optimism and hope. He was seen as an effective technocratic administrator committed to anti-corruption reform, who would support small business and cut red tape. Six months into his five-year term, many who voted for him already feel disappointed. Police attacks on the Anti-Corruption Commission, his selection of a lacklustre cabinet, an obstructionist legislature, and his apparent inability to resist the growing power of his party chair, former president Megawati Soekarnoputri, are all causing his supporters growing concern.

Some say Jokowi has been ‘captured’ by the old political elite, others say that he is simply naïve and inexperienced, a provincial official out of his depth in cut-throat national politics. Optimists suggest he is biding his time and playing a ‘long game’. Pessimists speculate that he may face impeachment. At this seminar five prominent observers of Indonesia explored how Jokowi’s administration has fared so far, the challenges he currently faces, and what is likely to happen next.

Presenters included: Dr Helen Pausacker, Dr Jemma Purdey, Dr Dave McRae, Dr Nadirsyah Hosen, Professor Tim Lindsey and Dr Richard Chauvel.
“Justice Reform in Indonesia – A Working Perspective”

Craig Ewers

30 June 2015

Recent bilateral tensions over specific events have brought to the front pages a number of challenges to the ongoing relationship between Australia and Indonesia, particularly around the role of law and the judiciary.

The differences between the two systems and their influences are often underestimated but there has been surprising success in some areas of legal and judicial reform since 1998. Many of these are the result of some very effective approaches involving courts from both countries and working relationships that continue to generate change.

In this lecture, Craig Ewers shared insights into current events in the bilateral relationship, as well as ideas about approaches to Indonesian law reform and what is working...or not.

Craig Ewers is the Team Leader of the Australia Indonesia Partnership for Justice, the latest phase of what has been almost 15 years now of justice co-operation in Indonesia, dating back to the Soeharto era. Craig has led the partnership for the last 3 years, a role that combines diplomacy, management, technical expertise, innovation, appreciation of Islam and culture, and a lot of patience. He learnt these traits through similar roles in Timor Leste (2008-12), Solomon Islands (2005-8 and 1999-2001), Cambodia (2002-5), and, before that, in Victoria Police, where he led reform projects there for ten years as a civilian. Craig was born in Melbourne and did his Masters thesis at University of Melbourne.
“Death Penalty and the Road Ahead: A Case Study of Indonesia” (with the Asian Law Centre)

Professor Todung Mulya Lubis

24 August 2015

Indonesia has been criticised nationally and internationally for its use of the death penalty. Critics argue the death penalty does not deter crime and there has never been any solid empirical evidence suggesting it can. They say the objective of punishment should be to re-educate and rehabilitate people, giving them the opportunity to reintegrate with society, not to kill them. Globally only a small number of states still execute.

Professor Lubis argued that Indonesia does give weight to these objections but domestic support for the death penalty still seems overwhelming. Few governments anywhere are willing to abolish the death penalty if they have to pay a high political cost and the government of President Joko Widodo is no exception. Some sort of compromise or alternative has to be found. One solution would be to formulate a policy respecting human rights (especially the right to life) but still allowing executions in exceptional circumstances. The Indonesian government seems to be trying to do this in its new draft Criminal Code. This says that if a death row convict demonstrates rehabilitation, his or her sentence can be reduced to either life or 20 years in prison. If this had been law earlier in 2015, it could have saved the two Australians recently executed, Myuran Sukumaran and Andrew Chan.

Debate on the draft Criminal Code is a perfect opportunity for both proponents and opponents of the death penalty. There is, however, a new momentum towards abolition in Indonesia, and Professor Lubis said it should be used to the maximum possible extent to prevent more executions. In this lecture he outlined a strategy for how this might be done.

Professor Todung Mulya Lubis was the Indonesian defence lawyer for Myuran Sukumaran and Andrew Chan. He is one of Indonesia’s leading human rights lawyers and most influential legal thinkers. He completed his undergraduate Law degree at the University of Indonesia (1974); his LLM at the University of California, Berkeley; a second LLM at Harvard Law School; and his JSD at the University of California, Berkeley. He has been a senior Adjunct Member of the Faculty of Law of the University of Indonesia since 1990, where he was first appointed in 1975. From 1980-1983, he was Director of Indonesia’s famous dissident NGO, the Legal Aid Institute, where he worked for many years.

His influential 1983 scholarly book *In Search of Human Rights: Legal-Political Dilemmas of Indonesia’s New Order 1966-1990* has played an important role in thinking about human rights in Indonesia. Professor Lubis is also Founding and Senior Partner of a prominent law firm in Jakarta and has been lead counsel in a number of major human rights cases, often on a pro bono basis. These include acting for the Bali Nine in an attempt to convince Indonesia’s Constitutional Court to abolish the death sentence, and against former President Soeharto. He has also held a series of senior government appointments. In 2014, he was appointed as Honorary Professor in the Melbourne Law School.

A video of the event is available at [https://www.youtube.com/watch?v=2QmNbRkU4bY&t=3s](https://www.youtube.com/watch?v=2QmNbRkU4bY&t=3s)
“Asylum Seekers and the Australia-Indonesia Relationship”

15 March 2016

Indonesia currently has more than 13,000 asylum seekers and refugees in its territory. Although irregular departures of asylum seeker boats from Indonesia to Australia have slowed down, numbers of new arrivals in Indonesia are steady. Indonesia’s capacity to host these people for the long term and provide them with proper protection are reaching their limits.

A number of Australia’s policies and practices, such as forcibly returning asylum seekers by boat to Indonesia, were met with harsh criticism in Indonesia. Unlike other countries in the region, Indonesia does not want to accommodate Australia’s unwanted asylum seekers but it has — so far — no durable solution on offer. Despite frequent demands for ‘regional solutions’ for asylum seekers and refugees in the region, progress on establishing a coherent regional framework for refugee protection has remained elusive.

In this seminar, prominent scholars of refugee law and asylum seeker issues discuss current developments and consider their implications for a range of issues, including foreign policy, regional politics and Indonesia’s relations with Australia.

Presenters included: Mr David Manne, Professor Susan Kneebone, Professor Michelle Foster and Dr Antje Missbach

A video of the event is available at https://www.youtube.com/watch?v=INmyuXHSTP8

“Political Corruption - Elections and Beyond: Perspectives from Indonesia and Australia” (with the Electoral Regulation Research Network)

23 August 2016

Money in politics poses challenges to democracies across the world. An international study of elections held in 2015 has even reported that the most serious risks to free and fair elections stem from the failure to effectively deal with these challenges. This seminar looked at the complex ways ‘money politics’ works to subvert democracy in two very different systems in two very different societies, and asked what can be done to prevent it.

Presenters included:

Professor Denny Indrayana - see CILIS staff, above.

Maxine McKew is a Vice Chancellor’s Fellow at the University of Melbourne and a Distinguished Fellow of the Australia India Institute. Her career spans both politics and journalism. In 2007, Maxine wrote herself into Australian political history as only the second candidate to have ever defeated a Prime Minister in his constituency seat. She entered the Federal Parliament as the MP for Bennelong, and served as Parliamentary Secretary for Early Childhood and later Parliamentary Secretary for Infrastructure, Regional Development and Local Government. Before making the switch to politics, Maxine had a thirty-year career as a broadcast and print journalist, earning a reputation as one of the country’s most authoritative interviewers.

Alison Byrne is the Executive Director Funding, Disclosure and Compliance (FDC) at the NSW Electoral Commission. FDC is a multidisciplinary team responsible for regulating compliance with donations, expenditure and disclosure, election and lobbying laws. FDC also administers statutory registers under various legislation and the public funding scheme in NSW. Alison is a lawyer with 15 years’ experience in criminal and civil litigation, policy development, investigation and compliance.
RESEARCH SEMINARS

“Combating Corruption in Yudhoyono’s Indonesia: An Insider’s Perspective”
Professor Denny Indrayana
20 September 2016
Combating corruption in Indonesia is not an easy task, even for a president. In this public lecture, Professor Denny Indrayana, who used to be President Yudhoyono’s Deputy Minister of Law and Human Rights (2011-2014) and Special Advisor for Legal Affairs, Human Rights and Anti-Corruption (2008-2011), shared his own experiences of just how complicated it was. More specifically, Professor Indrayana analysed the Yudhoyono government’s efforts to protect the Indonesian Corruption Eradication Commission from attack by its many enemies, including corruptors. President Yudhoyono tried very hard to beat corruption and had some successes but many basic problems persist. In particular, the corrupt political landscape makes war against corruption extraordinarily difficult - even for a president.

Professor Denny Indrayana - see CILIS Staff, above.

CILIS Research Seminar Series

“‘Catch Them If You Can’: The Prosecution of People Smugglers in Indonesia (2008-2012)” (with the Asian Law Centre)
16 September 2013
In this seminar, Dr Missbach compared the prosecution of people smugglers and their helpers before and after the criminalisation of people smuggling through the new Law on Immigration (2011). She used case studies of convicted people smugglers collected in Indonesia in recent years in order to demonstrate how local courts have treated these matters and what penalties have resulted from the convictions. While the number of trials for people smugglers in Australia has decreased since 2012, the opposite is the case for Indonesia.

Antje Missbach - see CILIS Senior Associates, above.
“Cultural Rights and (Multiple) Citizenship: An Ethnographic Look at Issues of Decentralisation and the Revival of Tradition in Indonesia”

25 October 2013

Current debates about decentralisation and revitalisation of tradition in Indonesia are closely linked to discourses on individual and cultural human rights: local or indigenous people claiming rights based on their cultural roots and migrants and equal individual human rights as Indonesian citizens. Such dilemmas of legal pluralism determine the situation in post-conflict Maluku in Eastern Indonesia, where Birgit conducted ethnographic research over the last decade. This paper analysed three key issues: 1) the re-establishment of traditional villages and leadership in Central Maluku, particularly the ambivalence and problems of translating and implementing the new national laws on decentralisation on the ground; 2) the situation of refugees and migrants in Maluku, illustrating how their precarious situation poses challenges for promoting cultural rights and equal citizenship; 3) the adaptation of integrative cultural concepts as a means of including cultural outsiders, exploring the prospects of the revival of tradition for peace. The Moluccan case provides a window to look at much broader debates on human rights, (equal and multiple) citizenship and the inclusion and exclusion of migrants as cultural outsiders, issues that are of importance both throughout Indonesia and beyond.

Dr Birgit Bräuchler (PhD) is lecturer in social and cultural anthropology at Goethe University Frankfurt, Germany. Her main research interests are media and cyber anthropology, conflict and peace studies, cultural rights and the revival of tradition. She is author of Cyberidentities at War. The Moluccan Conflict on the Internet (transcript/Berghahn, 2005/2013), editor of Reconciling Indonesia (Routledge, 2009), co-editor of Theorising Media and Practice (Berghahn, 2010), editor of special journal issues and has published several book chapters and articles in peer-reviewed journals. Her current research is on the cultural dimension of reconciliation in Indonesia.

“Challenges to National Identity but not to the Nation-State – the Case of Aceh, Indonesia”

13 November 2013

The distinctive Islamic identity of the Acehnese is closely bound to their resilience and has resulted in the construction of an identity as the ‘cultural other’ in contrast to ‘Java’ and the ‘West’. Islamic Criminal Law was introduced in 1999 as a formalisation of sharia (Islamic law) and has been successively implemented in the province. Muslim women’s rights activists are fighting for a so-called ‘gender-sensitive’ implementation of sharia but to date have had little success. Ignoring women’s issues and promoting male-dominated policies has resulted in an unjust implementation of Islamic Criminal Law. Peace and democratisation processes in Aceh have also resulted in negative consequences for women and minorities and increased the trend of religious homogenisation. The implementation of sharia theoretically should be within the national legal frame but transgressions of national laws remain without consequences.

Professor Susanne Schröter is Professor for Anthropology of Colonial and Postcolonial Orders at the Goethe-University, Frankfurt, Principle Investigator in the Cluster of Excellence ‘Formation of Normative Orders’, Head of the research group, Formation of Normative Orders in the Islamic World, and Adjunct Professor at University of Indonesia, Jakarta. Her latest edited book is: Gender and Islam in Southeast Asia. Negotiating women’s rights, Islamic Piety and Sexual Orders (Leiden: Brill).
Dr Kristina Großmann is an Assistant Professor and Chair of Comparative Development and Cultural Studies - Southeast Asia at the University of Passau, Germany. Her latest book is *Gender, Islam, Aktivismus. Handlungsräume muslimischer Aktivistinnen nach dem Tsunami in Aceh* [Gender, Islam, activism. Scopes of acting of Muslim activists in Aceh after the Tsunami] (Berlin: Regiospectra).

“The Zamboanga Siege and Its Implications for the GRP-MILF Peace Accord” (with the Asian Law Centre)
6 December, 2013

The struggle of the Moro people for self-determination has been going on for decades and attempts to achieve peace in Mindanao have so far failed to end the war. Barely four years after the peace agreement between the Philippine government and the Moro National Liberation Movement (MNLF) was signed in 1976, a nascent group called the Moro Islamic Liberation Front (MILF) began a new struggle against what they consider the national government’s continuing colonial rule over the Moro people. After years of violent skirmishes, the government and the MILF attempted to forge a peace agreement in 2009 in Kuala Lumpur, but the Philippine Supreme Court declared the agreement unconstitutional. In 2012, President Aquino announced the signing of a “Framework Agreement” for peace with the MILF to set down the political and economic conditions for a planned Moro autonomous rule in certain areas of Mindanao. The MNLF objected to the planned peace agreement, claiming that it abandons the 1976 and 1996 MNLF-GRP peace agreements. This was the situation when fighting suddenly broke out between government troops and MNLF forces in Zamboanga. The fierce battles in that city resulted in many deaths and lasted for at least 21 days before the MNLF troops withdrew.

Rep. Colmenares discussed the possible reasons for this sudden attack by what the government thought was a moribund MNLF group and its implications for the GRP-MILF peace talks. He also discussed the political situation under the Aquino government, rocked by a corruption scandal and escalating human rights violations, as the national context of the search for a just and lasting peace in Mindanao, one of the longest theaters of war in the region.


“Networks, Encounters and Interconnection: Contemporary Islamic Education in Southeast Asia and the Middle East”

12 December 2013

Across Indonesia, Singapore and Malaysia, scores of young *alim* (Muslim scholars) seek higher Islamic learning in the Middle East. This trend is not new. Muslim scholars across Southeast Asia have a tradition of intellectual linkages to the Muslim holy cities of the Hijaz and other prestigious sites of Muslim learning, such as Al-Azhar in Cairo, Egypt, and Dar al-Mustafa in Tarim, Yemen. This seminar examined education as a point of interconnection between the Middle East and Southeast Asia, arguing that young scholars’ intellectual engagement not only fosters theological beliefs, but it also allows them to create new avenues for political and social networks that stretch across Southeast Asia. Despite the importance of the interaction between Southeast Asian and Middle Eastern Islamic institutions and scholars, this rich point of Islamic interaction is under-researched and under-theorized. This seminar explored the interaction between Islamic scholars and their students in the Middle East and Southeast Asian region, arguing that Sufism binds these communities of scholars as a point of intersection providing intellectual, social and political inter-connections and networks.

Dr Jeremy Kingsley - see CILIS Associates, above.
“Indonesian Banking: Could it Crash Again?”

31 January 2014

Indonesia’s banking sector collapsed catastrophically in 1998. In this seminar, Andy Schmulow reported on the findings of his PhD research as to the strength of Indonesian banks ten years after the crash. Although radical prudential reforms and strengthened regulatory safeguards have created a far more robust and profitable financial system, he argued that the underlying problem of a lack of rule of law and enforceable regulatory standards mean the Indonesian banking sector remains potentially fragile. He outlined one possible regulatory solution that may have application well beyond Indonesia.

Andy Schmulow is a barrister admitted in South Africa, has lectured law for 11 years and is currently a Senior Research Associate in the Melbourne Law School.

“Women and Islamic Higher Education in Indonesia”

12 February 2014

As Indonesia democratizes, Indonesian youth are confronted by at least two major conflicting influences: Western liberal values and conservative Islam. They become familiar with not just Western lifestyles but also issues and discourses that originated in the West, including notions of human rights, women’s rights, gender and equality. Radical and conservative Muslim groups are also at work, however. They use religious education as a means to propagate their opposed agenda of Islamising society, and they pay particular attention to women. It is therefore interesting to see how Islamic educational institutions in Indonesia have responded to this very challenging environment. Previous research on Indonesia has argued that it has among the most open and innovative Islamic educational systems in the world, now reformed to offer not only religious studies but also general sciences and various marketable ‘secular’ skills. In fact, the continuing process of reform of Islamic schooling in Indonesia has paved the way for significant advances in Muslim education, intellectualism and activism.

This presentation focused on female students who study at Islamic higher education institutions in Indonesia. Dr Afrianty discussed their backgrounds and what motivates them to pursue their studies at Islamic higher education institutions when secular education is widely available and provided by the state. More importantly, Dr Afrianty touched on how religious education in Islamic tertiary institutions shapes and forms gender understanding of the status of women in Islam and in Indonesian society more generally.

Dr Dina Afrianty - see CILIS Associates, above.

“The Hidden Driver of Deforestation Why Reforming Indonesia’s Legal Framework is Critical to the Success of REDD+” (with the Asian Law Centre)

26 May 2015

Unsustainable deforestation is a massive and long-standing problem in Indonesia. Its impact on the environment and local communities has been disastrous. For decades, repeated efforts to prevent it have all failed. REDD+ is a mechanism created by the UN, through which developing countries can establish legal and policy frameworks to protect forested areas. REDD+ is conceived as a ‘top-down-bottom-up’ mechanism: high level parameters are established through international law but the regulatory scheme will be based in domestic law. REDD+ assumes developing countries have the basic legal and policy infrastructure to implement the scheme nationally. Unfortunately, the legal system in Indonesia has not lived up to these expectations. The messy governance regime for land use, together with significant gaps in the national hierarchy of laws, pose serious challenges that must be addressed if a national REDD+ scheme is ever to be implemented in Indonesia, and rampant deforestation checked.
Arjuna Dibley is a lawyer working across Baker & McKenzie’s Global Climate Change Practice and the Law for Development Initiative. Arjuna specialises in REDD+ law, both its international law elements and its implementation in Indonesia and other developing countries. He also specialises in Indonesian law, having previously completed research work on aspects of Indonesian public law both as a research student, and as a research associate at the University of Melbourne’s Asian Law Centre and the University of Sydney’s Centre of Asian and Pacific Law. Arjuna is currently an Associate of the Centre for Indonesian Law, Islam and Society at the Melbourne Law School.

Josi Khatarina is a PhD student at the Melbourne Law School working on environmental law and governance. She is also a senior researcher at the Indonesian Centre for Environmental Law (ICEL) and a member of the expert team of the UNDP’s Participatory Governance Assessment on REDD+ in Indonesia. Josi previously worked as senior legal specialist at the REDD+ Agency, where she developed a range of important law reform initiatives. Josi has also been an assistant to the Presidential Task Force for the Eradication of Corruption in the Judiciary and initiated and headed a national Coalition for an Access to Information law (1999 – 2002). The law was finally enacted in 2008. Josi was also program coordinator for the Indonesian National Assessment Team for the Global Coalition on Access Initiative (2002-2007).

Open Discussion with Yuniyanti Chuzaifah, National Commission on Violence Against Women
11 November 2015
Yuniyanti Chuzaifah, Vice Chair of the National Commission on Violence Against Women (Komnas Perempuan), met with PhD students and members of the community to discuss issues relating to violence against women. PhD Seminars
PhD Seminars

“Food Security as Social Provisioning: Insights from the International and Indonesian Experience”
8 May 2013
Peter Dirou, supervised by Tim Lindsey, Shaun McVeigh and Sundhya Pahuja

This thesis argued that the international community’s struggle to effectively deal with and take responsibility for food crises is rooted in both the structure of international law and the economic thinking that was wired into the early UN organisations. It presents a heterodox conception of economics — institutionalism — as an alternative way of thinking about problems of food and hunger. Building on the institutionalist emphasis on social provisioning, Peter’s thesis located the legal dimension of institutionalist thought within a public law framework that emphasises authority and duty. This approach links economics and jurisprudence and conceptualises economic policy as a duty to provide.

Peter Dirou is a PhD candidate at the Melbourne Law School and an independent economic consultant on public finance and financial sector issues. He has undertaken international consulting assignments for the ADB, World Bank, IMF, UNDP, DFID, AusAID and NZAID. These assignments have primarily been in Southeast Asia and Peter has worked regularly in Indonesia since 2001 on a variety of economic governance projects. Prior to becoming a consultant, Peter was on the executive staff of the Reserve Bank of New Zealand and he has also worked for the Economist Intelligence Unit. His academic work has focused on the public debt issues, including the linkage between public debt and the strength of the international financial system, and debt-for-development exchanges.

“Regulating Morality: Law, Pornography and Indonesia’s Islamic Defenders Front”
15 May 2013
Helen Pausacker, supervised by Tim Lindsey

In 2005 and 2006, FPI became involved in support for the controversial Anti-Pornography and Pornographic Action Bill. Over the same period FPI reported three cases to the police, stating that they had violated provisions prohibiting pornography in the Criminal Code. The cases were an artwork (Pinkswing Park), Indonesian Playboy (which had no nudes) and Indonesian Princess (Puteri Indonesia) 2005, Indonesia’s entrant to the Miss Universe 2006 beauty contest. Helen’s thesis examined the use of largely symbolic law reforms to establish norms and the use of legal threats and prosecutions to enforce these norms throughout society. In this presentation, Helen offered a brief summary of her thesis, before focusing on the Puteri Indonesia case study.

Helen Pausacker is a PhD candidate in the Law School. For further information, see Asian Law Centre Staff - Principal Researchers, above.
“Indonesia as a Weak State: Authority and Competition in Post-Suharto Indonesia”

1 March 2016
Matthew Busch, supervised by Tim Lindsey

Since the end of the New Order in 1998, Indonesia has changed its political institutions, introduced complementary reforms, and experienced substantial, middle-class economic growth. All have expanded and altered the nature of political and commercial competition, but what is unchanged is the inherent informality and ready circumscription of state power. Instead, rule of law, novel regulatory concepts, or collective goods have in turn become new sites for intra-elite competition and compromise. Defining and employing the intellectual framework of a ‘weak state’, Matthew’s thesis unpacks the political economy and historical antecedents of the country’s contemporary law, society, and commercial outcomes.

“Assessing Central Government Performance in a Decentralised Natural Resource Management Setting: A Case Study of Environmental Governance of the Palm Oil Industry in Indonesia”

Josi Khatarina, supervised by Tim Lindsey

After decentralization in 1999, local governments in Indonesia have issued unprecedented numbers of natural resources licenses including palm oil, in a manner alleged to be contrary to the law. On the other hand, while still possessing the ultimate authority to regulate and monitor national standards as well as to ensure compliance, the central government seems to have failed to minimize these undesirable excesses of decentralization. Josi’s thesis seeks to investigate the performance of the central government by looking at the dynamics that interplay in the process of the exercise of its power and the factors that contribute to their performance.

“Socio-Legal Study of Criminal Sentencing in Indonesia: Case Study of Decisions in Selected Courts”

Rifqi Sjarief Assegaf, supervised by Tim Lindsey

Indonesian criminal law generally provides wide sentencing discretion to judges. While there is anecdotal evidence that sentencing practices in Indonesia suffer from disparity and disproportionality, there are very limited in-depth empirical studies to support these claims. Rifqi’s thesis aims to offer insights into criminal sentencing practices in Indonesia and explain, by investigation of selected courts, the legal and extra-legal factors that influence and limit judges in exercising their discretion. It will also assess sentencing reform proposal in the Criminal Code Bill.

Image courtesy of International Animal Rescue Foundation UK
Book Launches

“A Journey against Defeat: Narratives of Women’s Rejection of Poverty?”
14 October 2014

Written by well-known Indonesian activist and researcher Lies Marcoes-Natsir (of the leading NGO, Rumah Kita Bersama) with Melbourne-based gender specialist Anne Lockley, this groundbreaking book seeks to fill gaps left by dry economic studies that focus solely on macro level conditions and policies. It does this by telling the personal stories of courageous women who refuse to surrender to poverty.

Drawn from a nine-month journey across eight provinces of the Indonesian archipelago, Lies Marcoes-Natsir’s retelling of these women’s experiences is accompanied by compelling images created by award-winning Indonesian photographer Armin Hari. His photographs were on display at the launch. A Journey Against Defeat makes a powerful argument for law reform and more equitable development policies that can directly benefit women, the poor, and people with special needs.

A writer since she was at high school in Ciamis, West Java, Lies Marcoes is an independent consultant in women’s rights, reproductive health, and gender and Islam. For more than ten years, she worked as a Program Officer at The Asia Foundation. Her major interest, women’s empowerment, developed through her involvement with NGOs Kalyanamitra and the Community and Pesantren Development Association. Lies earned a Master’s degree in medical anthropology from the University of Amsterdam (1999-2000), with a focus on reproductive health issues. She has published a range of books and articles including a manual on gender training with an Islamic perspective (Dawrah Fiqh Concerning Women – Manual for a Course on Islam and Gender), which is the only such manual in English and is used by Muslim feminists throughout the world.

Anne Lockley is an independent development consultant specialising in gender, monitoring and evaluation, and program design. She currently works with a number of organisations and programs in Indonesia, including the Australia-Indonesia Partnership for Justice. Anne has worked with NGOs, women’s organisations and networks, and large bilateral development programs in South East Asia and the Pacific region. She has worked on a number of research, evaluation, and story-based projects, including in the areas of maternal and child health, governance, poverty, violence against women, law and justice, HIV, natural resources, and land and property rights. She holds Master’s degrees in development studies and evaluation.

“Troubled Transit: Asylum Seekers Stuck in Indonesia”
By Dr Antje Missbach

15 March 2016

Troubled Transit considers the situation of asylum seekers stuck in limbo in Indonesia from a number of perspectives. It presents not only the narratives of many transit migrants but also the perceptions of Indonesian authorities and of representatives of international and non-government organizations responsible for the care of transiting asylum seekers. Fascinated by the extraordinary and seemingly limitless resilience shown by asylum seekers during their often lengthy and dangerous journeys, the author highlights one particular fragment of their journeys - their time in Indonesia, which many expect to be the last stepping stone to a new life. While they long for their new life to unfold, most asylum seekers become embroiled in the complexities of living in transit. Indonesia, a vast archipelago of more than 17,000 islands, is more than a location where people spend time waiting; it is a nation state that interacts with transiting asylum seekers and formulates policies that have a profound impact on their experience in transit there.
Despite its overwhelmingly Muslim majority, Indonesia has always been seen as exceptional for its diversity and pluralism. In recent years, however, there has been a rise in ‘majoritarianism’, with resurgent Islamist groups pushing hard to impose conservative values on public life – in many cases with considerable success. This has sparked growing fears for the future of basic human rights, and, in particular, the rights of women and sexual ethnic minority groups. There have, in fact, been more prosecutions of unorthodox religious groups since the fall of Soeharto in 1998 than there were under the three decades of his authoritarian rule. Some Indonesians even feel that the pluralism they thought was constitutionally guaranteed by the national ideology, the Pancasila, is now under threat.

In this seminar, prominent scholars examined the political and legal implications of rising resurgent Islamism in Indonesia and analysed particular cases of intolerance and violence against minorities. They also discussed the responses by a weak state that seems too often unwilling to intervene to protect vulnerable minorities against rising religious intolerance.

Presenters included:

- **Associate Professor Greg Fealy**, Department of Political and Social Change, Australian National University - ‘The Politics of Religious Intolerance in Indonesia: Mainstream-ism Trumps Extremism’

- **Dr Stewart Fenwick**, Honorary Professor, Institute for Religion, Politics and Society, Australian Catholic University - ‘Faith and Freedom in Indonesian Law: Liberal Pluralism, Religion and the Democratic State’

- **Dr Nadirsyah Hosen**, Senior Lecturer, Law Faculty, Monash University - ‘Race and Religion in the 2012 Jakarta Gubernatorial Election: The Case of Jokowi-Ahok’
“Drugs Law and Legal Practice in Southeast Asia”

By Professor Tim Lindsey and Professor Pip Nicholson

21 November 2016

Drugs Law and Legal Practice in Southeast Asia investigates criminal law and practice relevant to drugs regulation in three Southeast Asian jurisdictions: Indonesia, Singapore and Vietnam.

These jurisdictions represent a spectrum of approaches to drug regulation in Southeast Asia, highlighting differences in practice between civil and common law countries, and between liberal and authoritarian states.

This book offers the first major English language empirical investigation and comparative analysis of regulation, jurisprudence, court procedure, and practices relating to drugs law enforcement in these three states.


This book was launched by Mr Michael O’Connell SC.

The Book Launch was preceded by a seminar by Dr Daniel Pascoe on “Dodging Death Row? Victim-Perpetrator Reconciliation Agreements in Death Penalty Cases”.

As states that use the death penalty liberally in a world that increasingly favours abolition, the Islamic-majority jurisdictions that are strict exponents of Sharia Law and the People’s Republic of China share a crucial commonality: their frequent use of victim-perpetrator reconciliation agreements to remove convicted murderers from the threat of execution. In both cases, rather than a murder convict’s last chance at escaping execution being recourse to executive clemency, victim-perpetrator reconciliation agreements fulfil much the same purpose, together with providing means of compensating victims for economic loss, and enabling the state concerned to reduce execution numbers without formally limiting the death penalty’s scope in law. In this presentation Dr Pascoe compares the fourteen death penalty retentionist nations that have most strictly incorporated Sharia criminal law principles into their positive law, along with the People’s Republic of China, to analyse the functions underpinning victim-perpetrator reconciliation agreements in death penalty cases.

Daniel Pascoe is an Assistant Professor at the School of Law, City University of Hong Kong. He received his DPhil in Law from the University of Oxford in 2013, and his MPhil in Criminology and Criminal Justice also from the University of Oxford in 2010. At Lincoln College, Oxford, Daniel was the Keith Murray Graduate Scholar. Daniel completed his undergraduate degrees in Law and in Asian Studies from the Australian National University.

Image: Davidelit, creative commons
Multimedia IT

Indonesia at Melbourne Blog

http://indonesiaatmelbourne.unimelb.edu.au/

The *Indonesia at Melbourne* blog was launched in July 2015 to present analysis, research and commentary on contemporary Indonesia from academics and postgraduate students affiliated with the University of Melbourne. It aims to stimulate debate and provide a forum for exchange of information and opinion on current events in Indonesia.

After two years of operation, the *Indonesia at Melbourne* blog has established itself as a distinct and valued voice in the public conversation on contemporary Indonesia. Its readership has grown steadily, and is continuing to climb. The majority of the blog’s readers are now located in Indonesia. The blog is jointly supported by CILIS, the Asia Institute in the Faculty of Arts and the University of Melbourne’s Indonesia Forum, and the Pro Vice-Chancellor (International), Professor Simon Evans.

Since July 2015, *Indonesia at Melbourne* has published more than 170 posts, with:

- 60% written by University of Melbourne affiliated academics or postgraduates;
- 38% of posts written by women authors; and
- 55% posts written by Indonesian nationals.

The blog has engaged prominent University of Melbourne alumni and leading figures from academia and civil society in Indonesia, providing them with a space to share their expertise. Recruiting respected Indonesian names in this manner helps to affirm University of Melbourne’s reputation as an Indonesia-savvy and connected Australian institution.
Islamic Law Online

http://law.unimelb.edu.au/centres/cilis/research/research-resources/islamic-law-online

Islamic Law Online is an online bibliographic database of materials relating to Islamic legal studies. This database was established by CILIS to complement the Asian Law Centre’s Asian Law Online.

Offered to the public as a free service to assist students, scholars and practitioners of Islamic legal studies, Islamic Law Online is a collection of English language materials on Islam available throughout the world. It includes books, chapters in books, journal articles and theses.

Law and Finance Institutional Partnership

http://www.lfip.org

The Centre for Indonesian Law, Islam and Society provides support for interactive live, online law teaching in Indonesia for under-resourced universities through the Law and Finance Institutional Partnership (LFIP).

LFIP is led by Associate Professor David Linnan from the School of Law at the University of South Carolina. It is a joint initiative between:

- Graduate Law Program of Universitas Indonesia, Indonesia;
- University of South Carolina, USA;
- Jakarta Stock Exchange (Bursa Efek Jakarta, or BEJ), Indonesia;
- Graduate Business and Public Law Program, Universitas Gadjah Mada, Yogyakarta, Indonesia;
- Asian Law Program, University of Washington, Seattle, USA;
- Asian Law Centre and Centre for Indonesian Law, Islam and Society, The University of Melbourne, Australia;
- Center for Asia Pacific Initiatives, University of Victoria, Canada;
- Lehrstuhl II of the Kriminalwissenschaftliches Institute, University of Cologne, Germany;
- Universitas Sumatra Utara, Medan, Indonesia;
- Universitas Diponegoro, Semarang, Indonesia; and
- Universitas Airlangga, Surabaya, Indonesia.

This Partnership provides a content-based distance education network for graduate law programs, relying on instructional videoconferencing and web-based materials. LFIP can be accessed at http://www.lfip.org.
Teaching and Education

Members of the Centre have contributed programmes of Asian law-related subjects to the undergraduate, graduate and JD levels. The Law School continues to offer one of the most extensive coverages of Asian Law in Australia and the world, and is seen as a regional leader in this field.

The following subjects in the Law School's programme have included content related to Indonesia or Islamic legal studies:

**JD Subjects**
- Deals in the Asia-Pacific (2014, 2015, 2016)
- The Death Penalty in Asia (Legal Research) (2014, 2015)
- Law and Legal Practice in Asia (2016)

**MLM Subjects**
- Asian Competition Policy and Law (2016)
- Comparative Constitutional Law (2016)
- Construction Law and Projects in Asia (2016)
- Drugs and the Death Penalty in Asia (2013)
- International and Comparative Competition Law (2014)
- International Law and Development (2014, 2016)
- International Law and Ethics: Current Global Problems (2016)
- Islamic Law and Politics in Asia (intensive) (2013, 2015, 2016)
- Managing Legal Risk in Developing Asia (2014)
- Rule of Law in Asia (2013)
## Research Students Under Supervision of Centre Members

Members of the Centre continued to offer supervision to a large group of PhD students interested in Indonesian and Islamic law and international students studying at the Law School.

CILIS members supervised 19 PhD candidates, 12 of whom completed their PhDs in 2013-2016.

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<tr>
<th>Name</th>
<th>Title</th>
<th>Supervisors</th>
<th>Year of Completion</th>
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<tr>
<td>Ms Dewi Apsari (PhD (Law))</td>
<td>“International Crime Cooperation in Extradition Between Indonesia and Australia”</td>
<td>Tim Lindsey, Jeremy Gans</td>
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<td>Mr Rifqi Sjarief Assegaf (PhD (Law))</td>
<td>“Inconsistency in Sentencing in Indonesian Courts”</td>
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<td>Ms Anisa Buckley (PhD (Law and Asia Institute))</td>
<td>“Muslim Women, Family Laws and the Challenges of Securing a ‘Complete’ Divorce: The Australia Experience”</td>
<td>Abdullah Saeed (Asia Institute), Tim Lindsey and Andrea Whittaker (Monash University)</td>
<td>2016</td>
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<td>Mr Matthew Busch (PhD (Law))</td>
<td>“Law in a Weak State: A Case Study of Indonesia”</td>
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<td>Ms Faye Chan (PhD (Law))</td>
<td>“Citizenship vs. Alienage and the Intersectionality of Law, Race and Gender: The Legal Status of Chinese Indonesian Women, 1930-2014”</td>
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<td>Mr Peter Dirou (PhD (Law))</td>
<td>“Food Security, Law and Development: Insights from the Indonesian Development Experience”</td>
<td>Tim Lindsey, Sundhya Pahuja</td>
<td>2014</td>
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<td>Mr Stewart Fenwick (PhD (Law))</td>
<td>“Is Rawlsian Liberalism Compatible with Islam? A Case Study of Post-Suharto Indonesia”</td>
<td>Tim Lindsey, Carolyn Evans, Abdullah Saeed</td>
<td>2015</td>
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<tr>
<td>Name</td>
<td>Title</td>
<td>Supervisor(s)</td>
<td>Year of Completion</td>
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<tr>
<td>Ms Carolyn Graydon (PhD (Law))</td>
<td>&quot;Reforming Customary Law Systems to Address Domestic Violence in Timor-Leste: Customary Law, Legal Pluralism and Women’s Rights&quot;</td>
<td>Tim Lindsey, Dianne Otto</td>
<td>2016</td>
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<tr>
<td>Mrs Nurhidayah Muhammad Hashim (PhD (Law))</td>
<td>&quot;Maintenance for Children after Divorce in Syaria and Civil Practice in Malaysia: What Malaysia can Learn from Australia’s Child Support Scheme&quot;</td>
<td>Tim Lindsey, Abdullah Saeed (Asia Institute)</td>
<td>2013</td>
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<td>Ms Samantha Hinderling (PhD (Law))</td>
<td>&quot;A New Paradigm for Meaningful Evaluation of International Legal Development: The Recipients’ Perspective&quot;</td>
<td>Pip Nicholson, Tim Lindsey, Livingston Armytage (University of Sydney)</td>
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<td>Ms Josi Khatarina (PhD (Law))</td>
<td>&quot;Regulation of the Environment in Post-Soeharto Indonesia&quot;</td>
<td>Tim Lindsey</td>
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<td>Mr Imran Lum (PhD (Law and Asia Institute))</td>
<td>&quot;Negotiating the Prohibition of Riba: Australian and British Muslim Attitudes Towards Conventional and Islamic Banking&quot;</td>
<td>Abdullah Saeed (Asia Institute), Tim Lindsey</td>
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<td>Mr Michael McKenzie (PhD (Law), ANU)</td>
<td>&quot;Rethinking International: Crime, Policy and Politics in Australia-Indonesia Relations&quot;</td>
<td>Tim Lindsey, Veronica Taylor (ANU)</td>
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<td>Ms Jessica Melvin (PhD (Law))</td>
<td>&quot;The 1965 Mass Killings in Aceh&quot;</td>
<td>Kate McGregor (Arts), Tim Lindsey, Steven Welch (Arts)</td>
<td>2016</td>
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<td>Ms Helen Pausacker (PhD (Law))</td>
<td>&quot;Morality and the Nation: Law, Pornography and Indonesia’s Islamic Defenders Front&quot;</td>
<td>Tim Lindsey, Abdullah Saeed (Asia Institute)</td>
<td>2013</td>
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Ms Rheny Pulungan (PhD (Law))
Supervisors: Tim Lindsey, Andrew Mitchell
Year of Completion: 2013

Mr Dudi Rulliadi (PhD (Law))
“The Transformation of Public-Private Partnerships (PPPs) in Infrastructure: The Case of Indonesia”
Supervisors: Tim Lindsey, Anne Orford, Andrew Mitchell
Year of Completion: 2016

Mr Andy Schmulow (PhD (Law))
“Problems Associated with Prudential Regulatory Enforcement in the Indonesian Banking Sector”
Supervisors: Tim Lindsey, Charles Coppel
Year of Completion: 2014

Ms Windy Triana (PhD (Law))
“Schooling Judges: The Education of Religious Court Judges in Indonesia”
Supervisors: Tim Lindsey, Farrah Ahmed
HIGHLIGHTED ACHIEVEMENTS

Highlighted Achievements by CILIS Members

Completion of PhD by CILIS Deputy Director
Deputy Director of CILIS, Helen Pausacker, successfully completed her PhD on "Morality and the Nation: Law, Pornography and Indonesia’s Islamic Defenders Front" in 2013. Congratulations to Helen!

Recognition of University Advocacy and Engagement in the Bali Nine Convictions Case
Professor Tim Lindsey has been recognised by the University for his advocacy and engagement in the Bali Nine convictions case. The Vice-Chancellor stated to the Academic Board that ‘Professor Tim Lindsey has been a powerful advocate both for the two men at the centre of the Bali Nine Conviction Case and the importance of Australians understanding Indonesian thinking and values. In the Bali Nine Convictions Case, Professor Lindsey has been a cogent and hard-working voice for public recognition of the issues at play, and has continued to work to secure a just outcome amid international tensions.’

Appointment as a Redmond Barry Distinguished Professor
The Redmond Barry Distinguished Professorship was recently established to recognise professors who demonstrate outstanding leadership in the University and wider community and either pre-eminence in research or creative activity, or pre-eminence in research and teaching.

Professor Tim Lindsey received this award in 2015.

Chancellor’s Human Rights Lecture by Former PhD Student
Former ALC PhD Student and CILIS Senior Associate, Professor Denny Indrayana (2002-2005), now Vice Minister of Law and Human Rights in the Republic of Indonesia, presented the Chancellor’s Human Rights Lecture on 1 November 2012 on ‘Indonesia’s Transition to Democracy: An Anti-corruption Crusade’.

In this fascinating and enlightening lecture, Professor Indrayana recounted his own experience of combating corruption and profiled his country as a vibrant and progressive nation now moving in the right direction.
Religion, Law and Intolerance in Indonesia
Edited by Professor Tim Lindsey and Dr Helen Pausacker
Routledge, 2016

Despite its overwhelmingly Muslim majority, Indonesia has always been seen as exceptional for its diversity and pluralism. In recent years, however, there has been a rise in "majoritarianism", with resurgent Islamist groups pushing hard to impose conservative values on public life – in many cases with considerable success. This has sparked growing fears for the future of basic human rights, and, in particular, the rights of women and sexual and ethnic minority groups. There have, in fact, been more prosecutions of unorthodox religious groups since the fall of Soeharto in 1998 than there were under the three decades of his authoritarian rule. Some Indonesians even feel that the pluralism they thought was constitutionally guaranteed by the national ideology, the Pancasila, is now under threat. This book contains essays exploring these issues by prominent scholars, lawyers and activists from within Indonesia and beyond, offering detailed accounts of the political and legal implications of rising resurgent Islamism in Indonesia. Examining particular cases of intolerance and violence against minorities, it also provides an account of the responses offered by a weak state that now seems too often unwilling to intervene to protect vulnerable minorities against rising religious intolerance.


Drugs Law and Legal Practice in Southeast Asia
Edited by Professor Tim Lindsey and Professor Pip Nicholson
Bloomsbury, 2016

Drugs Law and Legal Practice in Southeast Asia investigates criminal law and practice relevant to drugs regulation in three Southeast Asian jurisdictions: Indonesia, Singapore and Vietnam. These jurisdictions represent a spectrum of approaches to drug regulation in Southeast Asia, highlighting differences in practice between civil and common law countries, and between liberal and authoritarian states. This book offers the first major English language empirical investigation and comparative analysis of regulation, jurisprudence, court procedure, and practices relating to drugs law enforcement in these three states.

Centre Publications

CILIS Policy Paper Series

CILIS began producing a series of Policy Papers in 2013. This series is distributed widely amongst government, business, academic and community organisations.


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<td>Trials of People Smugglers in Indonesia: 2007-2012</td>
<td>Dr Melissa Crouch and Dr Antje Missbach</td>
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<td>Indonesia and Australia in the Asian Century</td>
<td>Mr Richard Woolcott AC</td>
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<td>Is Indonesia as Corrupt as Most People Believe and Is It Getting Worse?</td>
<td>Associate Professor Howard Dick and Associate Professor Simon Butt</td>
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<td>Clemency in Southeast Asian Death Penalty Cases</td>
<td>Dr Daniel Pascoe</td>
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<th>Incubators for Extremists? Radicalism and Moderation in Indonesia’s Islamic Education System</th>
<th>Professor Jamhari Makruf</th>
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<th>Recrowning Negara Hukum: A New Challenge, A New Era</th>
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<th>The 2014 Indonesian Elections and Australia-Indonesia Relations</th>
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CENTRE PUBLICATIONS

No 8 (2014) (with the Asian Law Centre)
Drug-related Crimes Under Vietnamese Criminal Law: Sentencing and Clemency in Law and Practice
Dr Nguyen Thi Phuong Hoa

No 9 (2015) (with the Asian Law Centre)
Death Penalty and the Road Ahead: A Case Study of Indonesia
Professor Todung Mulya Lubis

No 10 (2015) (with the Asian Law Centre)
Islam, Democracy and the Future of the Death Penalty
Dr Jimly Asshiddiqie, SH

No 11 (2016)
The Hidden Driver of Deforestation: Why Effecting Reform of Indonesia’s Legal Framework is Critical to the Long-term Success of REDD+
Arjuna Dibley and Josi Khatarina
| No 12 (2016) | Sentencing People-Smuggling Offenders in Indonesia | Dr Antje Missbach |
| No 13 (2016) | Combating Corruption in Yudoyono’s Indonesia: An Insider’s Perspective | Professor Denny Indrayana |
Publications of Members

Books


Chapters in Books


PUBLICATIONS OF MEMBERS


Refereed Journal Articles


Hooker, M.B. (2013), ‘Maria was a Christian - Nadra was a Muslim: Hertogh Revisited’, 14 Australian Journal of Asian Law, 1-35.


PUBLICATIONS OF MEMBERS

Other Articles


Crouch, M. (2013), 'Myanmar’s Constitutional Transition is the Military’s Call', November The Conversation.


Lindsey, T. (2014), 'Abbott Spurning Indonesia’s Invite Confirms Relationship Troubles', The Conversation, 7 May.


Missbach, A. (2013), ‘How Effective are Indonesia’s Efforts to Stop Asylum Seekers?’, November The Interpreter.


Book Reviews


Policy Papers and Reports


Media Articles
Brown, T. and Missbach, A. (2016), ‘The Boats may have ‘Stopped’, but more Refugees are Stuck in Limbo in Indonesia’,

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The Centre for Indonesian Law, Islam and Society has established a Twitter account. Keep up-to-date with all of our events and news items by following us at: https://twitter.com/cilis_mls
CILIS YouTube Channel

https://www.youtube.com/channel/UCS5e8IfHhJCHRXT9u6DfBw/featured