

ABSTRACT

*Polytechnic is a higher education institution that provides vocational education in Indonesia. Since the first polytechnic launched in 1977, its legal status has been changing from time to time. After the National Education Law 2003 came into effect, the government reformed vocational higher education through Higher Education Law 2012. Polytechnic was granted new legal status accordingly. Referring to Higher Education Law 2012, polytechnic could conduct more diverse programs at various levels. It means the program offered is a vocational diploma and a bachelor and postgraduate program in applied sciences. This status raises the question of whether polytechnic is a vocational higher education institution or university of applied sciences. Therefore, this research is intended to examine the legal status of polytechnic in light of education regulations and practices. There are three research questions to be concerned: (1) how is the regulation of polytechnic? (2) how is its implementation? (3) how should its regulation be in the future? This legal research is doctrinal research that applies statute, historical and comparative approaches. The qualitative method is then exploited in the data analysis. Furthermore, the theoretical framework used in the analysis is mainly based on the development legal theory of Mochtar Kusumaatmadja in the light of postpositivism legal theories. However, other thoughts, such as the welfare state and fundamental legal values, are also employed to equip the framework. The conclusion of this research reveals that the legal status of polytechnic heavily depends on vocational education policy. The existing ground policy has not been too evident in defining the basic principles of vocational education and its system. Consequently, the development of such regulations on polytechnic from time to time has been merely based on the interpretation of each regime. Accordingly, it creates unsustainability and uncertainty in the implementation. Finally, as *ius constituendum*, the vocational education system should be reset, and the new and sound ground policy of vocational education should be set up. After that, the new legal status of polytechnic could be formulated. In accordance with comparative analysis, it would be better if the legal status of polytechnic in the future is equivalent to the university of applied sciences.*

Keywords: *Polytechnic, Vocational Education, National Education System, Higher Education.*